

RULES COMMITTEE PRINT 117-12

TEXT OF THE LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AGRICULTURE, RURAL DEVELOPMENT, ENERGY AND WATER DEVELOPMENT, FINANCIAL SERVICES AND GENERAL GOVERNMENT, INTERIOR, ENVIRONMENT, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2022

[Showing the text of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2022; H.R. 4356; the Energy and Water Development and Related Agencies Appropriations Act, 2022; H.R. 4345; H.R. 4372; H.R. 4355; and the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2022; as ordered reported by the Committee on Appropriations, with modifications.]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Labor, Health and
3 Human Services, Education, Agriculture, Rural Develop-
4 ment, Energy and Water Development, Financial Services
5 and General Government, Interior, Environment, Military
6 Construction, Veterans Affairs, Transportation, and
7 Housing and Urban Development Appropriations Act,
8 2022”.

1 **SEC. 2. REFERENCES TO ACT.**

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall
4 be treated as referring only to the provisions of that divi-
5 sion.

6 **SEC. 3. REFERENCES TO REPORT.**

7 (a) DEPARTMENTS OF LABOR, HEALTH AND HUMAN
8 SERVICES, AND EDUCATION, AND RELATED AGENCIES
9 APPROPRIATIONS ACT, 2022.—Any reference to a “report
10 accompanying this Act” contained in division A of this Act
11 shall be treated as a reference to House Report 117—____.
12 The effect of such Report shall be limited to division A
13 and shall apply for purposes of determining the allocation
14 of funds provided by, and the implementation of, division
15 A.

16 (b) AGRICULTURE, RURAL DEVELOPMENT, FOOD
17 AND DRUG ADMINISTRATION, AND RELATED AGENCIES
18 APPROPRIATIONS ACT, 2022.—Any reference to a “report
19 accompanying this Act” contained in division B of this Act
20 shall be treated as a reference to House Report 117–82.
21 The effect of such Report shall be limited to division B
22 and shall apply for purposes of determining the allocation
23 of funds provided by, and the implementation of, division
24 B.

25 (c) ENERGY AND WATER DEVELOPMENT AND RE-
26 LATED AGENCIES APPROPRIATIONS ACT, 2022.—Any ref-

1 erence to a “report accompanying this Act” contained in
2 division C of this Act shall be treated as a reference to
3 House Report 117–____. The effect of such Report shall
4 be limited to division C and shall apply for purposes of
5 determining the allocation of funds provided by, and the
6 implementation of, division C.

7 (d) FINANCIAL SERVICES AND GENERAL GOVERN-
8 MENT APPROPRIATIONS ACT, 2022.—Any reference to a
9 “report accompanying this Act” contained in division D
10 of this Act shall be treated as a reference to House Report
11 117–79. The effect of such Report shall be limited to divi-
12 sion D and shall apply for purposes of determining the
13 allocation of funds provided by, and the implementation
14 of, division D.

15 (e) DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
16 AND RELATED AGENCIES APPROPRIATIONS ACT, 2022.—
17 Any reference to a “report accompanying this Act” con-
18 tained in division E of this Act shall be treated as a ref-
19 erence to House Report 117–83. The effect of such Report
20 shall be limited to division E and shall apply for purposes
21 of determining the allocation of funds provided by, and
22 the implementation of, division E.

23 (f) MILITARY CONSTRUCTION, VETERANS AFFAIRS,
24 AND RELATED AGENCIES APPROPRIATIONS ACT, 2022.—
25 Any reference to a “report accompanying this Act” con-

1 tained in division F of this Act shall be treated as a ref-
2 erence to House Report 117–81. The effect of such Report
3 shall be limited to division F and shall apply for purposes
4 of determining the allocation of funds provided by, and
5 the implementation of, division F.

6 (g) TRANSPORTATION, HOUSING AND URBAN DE-
7 VELOPMENT, AND RELATED AGENCIES APPROPRIATIONS
8 ACT, 2022.—Any reference to a “report accompanying
9 this Act” contained in division G of this Act shall be treat-
10 ed as a reference to House Report 117–____. The effect
11 of such Report shall be limited to division G and shall
12 apply for purposes of determining the allocation of funds
13 provided by, and the implementation of, division G.

14 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

15 The following sums in this Act are appropriated, out
16 of any money in the Treasury not otherwise appropriated,
17 for the fiscal year ending September 30, 2022.

1 **DIVISION A—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2022**

5 TITLE I

6 DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Innovation
10 and Opportunity Act (referred to in this Act as “WIOA”)
11 and the National Apprenticeship Act, \$4,407,108,000,
12 plus reimbursements, shall be available. Of the amounts
13 provided:

14 (1) for grants to States for adult employment
15 and training activities, youth activities, and dis-
16 located worker employment and training activities,
17 \$3,095,332,000 as follows:

18 (A) \$923,174,000 for adult employment
19 and training activities, of which \$211,174,000
20 shall be available for the period July 1, 2022
21 through June 30, 2023, and of which
22 \$712,000,000 shall be available for the period
23 October 1, 2022 through June 30, 2023;

1 (B) \$988,604,000 for youth activities,
2 which shall be available for the period April 1,
3 2022 through June 30, 2023; and

4 (C) \$1,183,554,000 for dislocated worker
5 employment and training activities, of which
6 \$323,554,000 shall be available for the period
7 July 1, 2022 through June 30, 2023, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2022 through June 30, 2023:
10 *Provided*, That the funds available for allotment to
11 outlying areas to carry out subtitle B of title I of the
12 WIOA shall not be subject to the requirements of
13 section 127(b)(1)(B)(ii) of such Act; and

14 (2) for national programs, \$1,311,776,000 as
15 follows:

16 (A) \$435,859,000 for the dislocated work-
17 ers assistance national reserve, of which
18 \$235,859,000 shall be available for the period
19 July 1, 2022 through September 30, 2023, and
20 of which \$200,000,000 shall be available for the
21 period October 1, 2022 through September 30,
22 2023: *Provided*, That funds made available in
23 this subparagraph shall be available for the
24 pilot program authorized under section 8041 of
25 the SUPPORT for Patients and Communities

1 Act (Public Law 115–271): *Provided further*,
2 That funds provided to carry out section
3 132(a)(2)(A) of the WIOA may be used to pro-
4 vide assistance to a State for statewide or local
5 use in order to address cases where there have
6 been worker dislocations across multiple sectors
7 or across multiple local areas and such workers
8 remain dislocated; coordinate the State work-
9 force development plan with emerging economic
10 development needs; and train such eligible dis-
11 located workers: *Provided further*, That funds
12 provided to carry out sections 168(b) and
13 169(c) of the WIOA may be used for technical
14 assistance and demonstration projects, respec-
15 tively, that provide assistance to new entrants
16 in the workforce and incumbent workers: *Pro-*
17 *vided further*, That notwithstanding section
18 168(b) of the WIOA, of the funds provided
19 under this subparagraph, the Secretary of
20 Labor (referred to in this title as “Secretary”)
21 may reserve not more than 10 percent of such
22 funds to provide technical assistance and carry
23 out additional activities related to the transition
24 to the WIOA: *Provided further*, That of the
25 funds provided under this subparagraph,

1 \$200,000,000 shall be for training and employ-
2 ment assistance under sections 168(b), 169(c)
3 (notwithstanding the 10 percent limitation in
4 such section) and 170 of the WIOA as follows:

5 (i) \$100,000,000 shall be for the pur-
6 pose of developing, offering, or improving
7 educational or career training programs at
8 community colleges, defined as public insti-
9 tutions of higher education, as described in
10 section 101(a) of the Higher Education
11 Act of 1965 and at which the associate's
12 degree is primarily the highest degree
13 awarded, with other eligible institutions of
14 higher education, as defined in section
15 101(a) of the Higher Education Act of
16 1965, eligible to participate through con-
17 sortia, with community colleges as the lead
18 grantee: *Provided*, That the Secretary shall
19 follow the requirements for the program in
20 House Report 116-62 and in the report
21 accompanying this Act: *Provided further*,
22 That any grant funds used for apprentice-
23 ships shall be used to support only appren-
24 ticeship programs registered under the Na-

1 tional Apprenticeship Act and as referred
2 to in section 3(7)(B) of the WIOA;

3 (ii) \$100,000,000 shall be for training
4 and employment assistance for workers in
5 communities that have experienced job
6 losses due to dislocations in industries re-
7 lated to fossil fuel extraction or energy
8 production;

9 (B) \$58,000,000 for Native American pro-
10 grams under section 166 of the WIOA, which
11 shall be available for the period July 1, 2022
12 through June 30, 2023;

13 (C) \$96,711,000 for migrant and seasonal
14 farmworker programs under section 167 of the
15 WIOA, including \$89,693,000 for formula
16 grants (of which not less than 70 percent shall
17 be for employment and training services),
18 \$6,444,000 for migrant and seasonal housing
19 (of which not less than 70 percent shall be for
20 permanent housing), and \$574,000 for other
21 discretionary purposes, which shall be available
22 for the period April 1, 2022 through June 30,
23 2023: *Provided*, That notwithstanding any
24 other provision of law or related regulation, the
25 Department of Labor shall take no action lim-

1 iting the number or proportion of eligible par-
2 ticipants receiving related assistance services or
3 discouraging grantees from providing such serv-
4 ices: *Provided further*, That notwithstanding the
5 definition of “eligible seasonal farmworker” in
6 section 167(i)(3)(A) of the WIOA relating to an
7 individual being “low-income”, an individual is
8 eligible for migrant and seasonal farmworker
9 programs under section 167 of the WIOA under
10 that definition if, in addition to meeting the re-
11 quirements of clauses (i) and (ii) of section
12 167(i)(3)(A), such individual is a member of a
13 family with a total family income equal to or
14 less than 150 percent of the poverty line;

15 (D) \$145,000,000 for YouthBuild activi-
16 ties as described in section 171 of the WIOA,
17 which shall be available for the period April 1,
18 2022 through June 30, 2023;

19 (E) \$150,000,000 for ex-offender activi-
20 ties, under the authority of section 169 of the
21 WIOA, which shall be available for the period
22 April 1, 2022 through June 30, 2023: *Provided*,
23 That of this amount, \$25,000,000 shall be for
24 competitive grants to national and regional
25 intermediaries for activities that prepare for

1 employment young adults with criminal legal
2 histories, young adults who have been justice
3 system-involved, or young adults who have
4 dropped out of school or other educational pro-
5 grams, with a priority for projects serving high-
6 crime, high-poverty areas;

7 (F) \$7,250,000 for the Workforce Data
8 Quality Initiative, under the authority of section
9 169 of the WIOA, which shall be available for
10 the period July 1, 2022 through June 30,
11 2023; and

12 (G) \$285,000,000 to expand opportunities
13 through apprenticeships only registered under
14 the National Apprenticeship Act and as referred
15 to in section 3(7)(B) of the WIOA, to be avail-
16 able to the Secretary to carry out activities
17 through grants, cooperative agreements, con-
18 tracts and other arrangements, with States and
19 other appropriate entities, including equity
20 intermediaries and business and labor industry
21 partner intermediaries, which shall be available
22 for the period July 1, 2022 through June 30,
23 2023.

24 (H) \$50,000,000 for a National Youth
25 Employment Program, under the authority of

1 section 169 of the WIOA, including the expan-
2 sion of summer and year-round job opportuni-
3 ties for disadvantaged youth, which shall be
4 available for the period April 1, 2022 through
5 June 30, 2023;

6 (I) \$20,000,000 for a national training
7 program for veterans, members of the armed
8 forces who are separating from active duty, and
9 the spouses of veterans and such members, fo-
10 cused on training related to employment in
11 clean energy sectors and occupations, under the
12 authority of section 169 of the WIOA, which
13 shall be available for the period July 1, 2022
14 through June 30, 2023; and

15 (J) \$63,956,000 for carrying out Dem-
16 onstration and Pilot projects under section
17 169(c) of the WIOA, which shall be available
18 for the period April 1, 2022 through June 30,
19 2023, in addition to funds available for such ac-
20 tivities under subparagraph (A) for the
21 projects, and in the amounts, specified under
22 the heading “Training and Employment Serv-
23 ices” in the report accompanying this Act: *Pro-*
24 *vided*, That such funds may be used for
25 projects that are related to the employment and

1 training needs of dislocated workers, other
2 adults, or youth: *Provided further*, That the 10
3 percent funding limitation under such section
4 shall not apply to such funds: *Provided further*,
5 That section 169(b)(6)(C) of the WIOA shall
6 not apply to such funds: *Provided further*, That
7 sections 102 and 107 of this Act shall not apply
8 to such funds.

9 JOB CORPS

10 (INCLUDING TRANSFER OF FUNDS)

11 To carry out subtitle C of title I of the WIOA, includ-
12 ing Federal administrative expenses, the purchase and
13 hire of passenger motor vehicles, the construction, alter-
14 ation, and repairs of buildings and other facilities, and the
15 purchase of real property for training centers as author-
16 ized by the WIOA, \$1,830,073,000, plus reimbursements,
17 as follows:

18 (1) \$1,653,325,000 for Job Corps Operations,
19 which shall be available for the period July 1, 2022
20 through June 30, 2023;

21 (2) \$138,000,000 for construction, rehabilita-
22 tion and acquisition of Job Corps Centers, which
23 shall be available for the period July 1, 2022
24 through June 30, 2025, and which may include the
25 acquisition, maintenance, and repair of major items

1 of equipment: *Provided*, That the Secretary may
2 transfer up to 15 percent of such funds to meet the
3 operational needs of such centers or to achieve ad-
4 ministrative efficiencies: *Provided further*, That any
5 funds transferred pursuant to the preceding provi-
6 sion shall not be available for obligation after June
7 30, 2023: *Provided further*, That the Committees on
8 Appropriations of the House of Representatives and
9 the Senate are notified at least 15 days in advance
10 of any transfer; and

11 (3) \$38,748,000 for necessary expenses of Job
12 Corps, which shall be available for obligation for the
13 period October 1, 2021 through September 30,
14 2022:

15 *Provided*, That no funds from any other appropriation
16 shall be used to provide meal services at or for Job Corps
17 centers.

18 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

19 AMERICANS

20 To carry out title V of the Older Americans Act of
21 1965 (referred to in this Act as “OAA”), \$450,000,000,
22 which shall be available for the period April 1, 2022
23 through June 30, 2023, and may be recaptured and reobli-
24 gated in accordance with section 517(c) of the OAA.

1 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

2 For payments during fiscal year 2022 of trade ad-
3 justment benefit payments and allowances under part I
4 of subchapter B of chapter 2 of title II of the Trade Act
5 of 1974, and section 246 of that Act; and for training,
6 employment and case management services, allowances for
7 job search and relocation, and related State administrative
8 expenses under part II of subchapter B of chapter 2 of
9 title II of the Trade Act of 1974, and including benefit
10 payments, allowances, training, employment and case
11 management services, and related State administration
12 provided pursuant to section 231(a) of the Trade Adjust-
13 ment Assistance Extension Act of 2011, sections 405(a)
14 and 406 of the Trade Preferences Extension Act of 2015,
15 and section 285(a)(2) of the Trade Act of 1974 (as
16 amended by section 406(a)(7) of the Trade Preferences
17 Extension Act of 2015), \$551,000,000 together with such
18 amounts as may be necessary to be charged to the subse-
19 quent appropriation for payments for any period subse-
20 quent to September 15, 2022: *Provided*, That notwith-
21 standing section 502 of this Act, any part of the appro-
22 priation provided under this heading may remain available
23 for obligation beyond the current fiscal year pursuant to
24 the authorities of section 245(c) of the Trade Act of 1974
25 (19 U.S.C. 2317(c)).

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For authorized administrative expenses,
4 \$89,066,000, together with not to exceed \$4,087,164,000
5 which may be expended from the Employment Security
6 Administration Account in the Unemployment Trust Fund
7 (“the Trust Fund”), of which—

8 (1) \$3,125,214,000 from the Trust Fund is for
9 grants to States for the administration of State un-
10 employment insurance laws as authorized under title
11 III of the Social Security Act (including not less
12 than \$250,000,000 to carry out reemployment serv-
13 ices and eligibility assessments under section 306 of
14 such Act, any claimants of regular compensation, as
15 defined in such section, including those who are
16 profiled as most likely to exhaust their benefits, may
17 be eligible for such services and assessments: *Pro-*
18 *vided*, That of such amount, \$117,000,000 is speci-
19 fied for grants under section 306 of the Social Secu-
20 rity Act and \$133,000,000 is additional new budget
21 authority specified for purposes of section 314(g) of
22 the Congressional Budget Act of 1974; and
23 \$9,000,000 for continued support of the Unemploy-
24 ment Insurance Integrity Center of Excellence), the
25 administration of unemployment insurance for Fed-

1 eral employees and for ex-service members as au-
2 thorized under 5 U.S.C. 8501–8523, and the admin-
3 istration of trade readjustment allowances, reem-
4 ployment trade adjustment assistance, and alter-
5 native trade adjustment assistance under the Trade
6 Act of 1974 and under section 231(a) of the Trade
7 Adjustment Assistance Extension Act of 2011, sec-
8 tions 405(a) and 406 of the Trade Preferences Ex-
9 tension Act of 2015, and section 285(a)(2) of the
10 Trade Act of 1974 (as amended by section 406(a)(7)
11 of the Trade Preferences Extension Act of 2015),
12 and shall be available for obligation by the States
13 through December 31, 2022, except that funds used
14 for automation shall be available for Federal obliga-
15 tion through December 31, 2022, and for State obli-
16 gation through September 30, 2024, or, if the auto-
17 mation is being carried out through consortia of
18 States, for State obligation through September 30,
19 2028, and for expenditure through September 30,
20 2029, and funds for competitive grants awarded to
21 States for improved operations and to conduct in-
22 person reemployment and eligibility assessments and
23 unemployment insurance improper payment reviews
24 and provide reemployment services and referrals to
25 training, as appropriate, shall be available for Fed-

1 eral obligation through December 31, 2022, and for
2 obligation by the States through September 30,
3 2024, and funds for the Unemployment Insurance
4 Integrity Center of Excellence shall be available for
5 obligation by the State through September 30, 2023,
6 and funds used for unemployment insurance work-
7 loads experienced through September 30, 2022 shall
8 be available for Federal obligation through Decem-
9 ber 31, 2022;

10 (2) \$118,108,000 from the Trust Fund is for
11 national activities necessary to support the adminis-
12 tration of the Federal-State unemployment insur-
13 ance system;

14 (3) \$727,449,000 from the Trust Fund, to-
15 gether with \$21,413,000 from the General Fund of
16 the Treasury, is for grants to States in accordance
17 with section 6 of the Wagner-Peyser Act, and shall
18 be available for Federal obligation for the period
19 July 1, 2022 through June 30, 2023;

20 (4) \$22,318,000 from the Trust Fund is for na-
21 tional activities of the Employment Service, includ-
22 ing administration of the work opportunity tax cred-
23 it under section 51 of the Internal Revenue Code of
24 1986 (including assisting States in adopting or mod-
25 ernizing information technology for use in the proc-

1 essing of certification requests), and the provision of
2 technical assistance and staff training under the
3 Wagner-Peyser Act;

4 (5) \$94,075,000 from the Trust Fund is for the
5 administration of foreign labor certifications and re-
6 lated activities under the Immigration and Nation-
7 ality Act and related laws, of which \$67,793,000
8 shall be available for the Federal administration of
9 such activities, and \$26,282,000 shall be available
10 for grants to States for the administration of such
11 activities; and

12 (6) \$67,653,000 from the General Fund is to
13 provide workforce information, national electronic
14 tools, and one-stop system building under the Wag-
15 ner-Peyser Act and shall be available for Federal ob-
16 ligation for the period July 1, 2022 through June
17 30, 2023, of which up to \$9,800,000 shall be used
18 to carry out research and demonstration projects re-
19 lated to testing effective ways to promote greater
20 labor force participation of people with disabilities:
21 *Provided*, That the Secretary may transfer amounts
22 made available for research and demonstration
23 projects under this paragraph to the “Office of Dis-
24 ability Employment Policy” account for such pur-
25 poses:

1 *Provided*, That to the extent that the Average Weekly In-
2 sured Unemployment (“AWIU”) for fiscal year 2022 is
3 projected by the Department of Labor to exceed
4 2,008,000, an additional \$28,600,000 from the Trust
5 Fund shall be available for obligation for every 100,000
6 increase in the AWIU level (including a pro rata amount
7 for any increment less than 100,000) to carry out title
8 III of the Social Security Act: *Provided further*, That
9 funds appropriated in this Act that are allotted to a State
10 to carry out activities under title III of the Social Security
11 Act may be used by such State to assist other States in
12 carrying out activities under such title III if the other
13 States include areas that have suffered a major disaster
14 declared by the President under the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act: *Provided*
16 *further*, That the Secretary may use funds appropriated
17 for grants to States under title III of the Social Security
18 Act to make payments on behalf of States for the use of
19 the National Directory of New Hires under section
20 453(j)(8) of such Act: *Provided further*, That the Sec-
21 retary may use funds appropriated for grants to States
22 under title III of the Social Security Act to make pay-
23 ments on behalf of States to the entity operating the State
24 Information Data Exchange System: *Provided further*,
25 That funds appropriated in this Act which are used to es-

1 tablish a national one-stop career center system, or which
2 are used to support the national activities of the Federal-
3 State unemployment insurance, employment service, or
4 immigration programs, may be obligated in contracts,
5 grants, or agreements with States and non-State entities:
6 *Provided further*, That States awarded competitive grants
7 for improved operations under title III of the Social Secu-
8 rity Act, or awarded grants to support the national activi-
9 ties of the Federal-State unemployment insurance system,
10 may award subgrants to other States and non-State enti-
11 ties under such grants, subject to the conditions applicable
12 to the grants: *Provided further*, That funds appropriated
13 under this Act for activities authorized under title III of
14 the Social Security Act and the Wagner-Peyser Act may
15 be used by States to fund integrated Unemployment In-
16 surance and Employment Service automation efforts, not-
17 withstanding cost allocation principles prescribed under
18 the final rule entitled “Uniform Administrative Require-
19 ments, Cost Principles, and Audit Requirements for Fed-
20 eral Awards” at part 200 of title 2, Code of Federal Regu-
21 lations: *Provided further*, That the Secretary, at the re-
22 quest of a State participating in a consortium with other
23 States, may reallocate funds allotted to such State under title
24 III of the Social Security Act to other States participating
25 in the consortium or to the entity operating the Unemploy-

1 ment Insurance Information Technology Support Center
2 in order to carry out activities that benefit the administra-
3 tion of the unemployment compensation law of the State
4 making the request: *Provided further*, That the Secretary
5 may collect fees for the costs associated with additional
6 data collection, analyses, and reporting services relating
7 to the National Agricultural Workers Survey requested by
8 State and local governments, public and private institu-
9 tions of higher education, and nonprofit organizations and
10 may utilize such sums, in accordance with the provisions
11 of 29 U.S.C. 9a, for the National Agricultural Workers
12 Survey infrastructure, methodology, and data to meet the
13 information collection and reporting needs of such entities,
14 which shall be credited to this appropriation and shall re-
15 main available until September 30, 2023, for such pur-
16 poses.

17 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
18 OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust

1 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
2 Unemployment Benefits and Allowances” account, such
3 sums as may be necessary, which shall be available for
4 obligation through September 30, 2023.

5 PROGRAM ADMINISTRATION

6 For expenses of administering employment and train-
7 ing programs, \$144,497,000, together with not to exceed
8 \$67,006,000 which may be expended from the Employ-
9 ment Security Administration Account in the Unemploy-
10 ment Trust Fund: *Provided*, That funds made available
11 for the Office of Apprenticeship shall be used only for the
12 administration of apprenticeship programs registered
13 under the National Apprenticeship Act and as referred to
14 in section 3(7)(B) of the WIOA and to provide for the
15 full and adequate staffing of the Federal Office of Appren-
16 ticeship and each of the State Offices of Apprenticeship.

17 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Employee Benefits
20 Security Administration, \$218,475,000, of which up to
21 \$3,000,000 shall be made available through September 30,
22 2023, for the procurement of expert witnesses for enforce-
23 ment litigation.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-
4 poration”) is authorized to make such expenditures, in-
5 cluding financial assistance authorized by subtitle E of
6 title IV of the Employee Retirement Income Security Act
7 of 1974, within limits of funds and borrowing authority
8 available to the Corporation, and in accord with law, and
9 to make such contracts and commitments without regard
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,
11 as may be necessary in carrying out the program, includ-
12 ing associated administrative expenses, through Sep-
13 tember 30, 2022, for the Corporation: *Provided*, That
14 none of the funds available to the Corporation for fiscal
15 year 2022 shall be available for obligations for administra-
16 tive expenses in excess of \$472,955,000: *Provided further*,
17 That to the extent that the number of new plan partici-
18 pants in plans terminated by the Corporation exceeds
19 100,000 in fiscal year 2022, an amount not to exceed an
20 additional \$9,200,000 shall be available through Sep-
21 tember 30, 2026, for obligations for administrative ex-
22 penses for every 20,000 additional terminated partici-
23 pants: *Provided further*, That obligations in excess of the
24 amounts provided for administrative expenses in this para-
25 graph may be incurred and shall be available through Sep-

1 tember 30, 2026 for obligation for unforeseen and extraor-
2 dinary pre-termination or termination expenses or extraor-
3 dinary multiemployer program related expenses after ap-
4 proval by the Office of Management and Budget and noti-
5 fication of the Committees on Appropriations of the House
6 of Representatives and the Senate: *Provided further*, That
7 an additional amount shall be available for obligation
8 through September 30, 2026 to the extent the Corpora-
9 tion's costs exceed \$250,000 for the provision of credit or
10 identity monitoring to affected individuals upon suffering
11 a security incident or privacy breach, not to exceed an ad-
12 ditional \$100 per affected individual.

13 WAGE AND HOUR DIVISION

14 SALARIES AND EXPENSES

15 For necessary expenses for the Wage and Hour Divi-
16 sion, including reimbursement to State, Federal, and local
17 agencies and their employees for inspection services ren-
18 dered, \$300,000,000: *Provided*, That the Secretary of
19 Labor shall use funds made available under this heading
20 to establish a national hotline to support domestic work-
21 ers.

22 OFFICE OF LABOR-MANAGEMENT STANDARDS

23 SALARIES AND EXPENSES

24 For necessary expenses for the Office of Labor-Man-
25 agement Standards, \$44,437,000.

1 OFFICE OF FEDERAL CONTRACT COMPLIANCE
2 PROGRAMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the Office of Federal Con-
5 tract Compliance Programs, \$140,732,000.

6 OFFICE OF WORKERS' COMPENSATION PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Workers'
9 Compensation Programs, \$138,604,000, together with
10 \$2,205,000 which may be expended from the Special Fund
11 in accordance with sections 39(c), 44(d), and 44(j) of the
12 Longshore and Harbor Workers' Compensation Act.

13 SPECIAL BENEFITS

14 (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses not otherwise authorized) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required

1 by section 10(h) of the Longshore and Harbor Workers'
2 Compensation Act, \$244,000,000, together with such
3 amounts as may be necessary to be charged to the subse-
4 quent year appropriation for the payment of compensation
5 and other benefits for any period subsequent to August
6 15 of the current year, for deposit into and to assume
7 the attributes of the Employees' Compensation Fund es-
8 tablished under 5 U.S.C. 8147(a): *Provided*, That
9 amounts appropriated may be used under 5 U.S.C. 8104
10 by the Secretary to reimburse an employer, who is not the
11 employer at the time of injury, for portions of the salary
12 of a re-employed, disabled beneficiary: *Provided further*,
13 That balances of reimbursements unobligated on Sep-
14 tember 30, 2021, shall remain available until expended for
15 the payment of compensation, benefits, and expenses: *Pro-*
16 *vided further*, That in addition there shall be transferred
17 to this appropriation from the Postal Service and from
18 any other corporation or instrumentality required under
19 5 U.S.C. 8147(c) to pay an amount for its fair share of
20 the cost of administration, such sums as the Secretary de-
21 termines to be the cost of administration for employees
22 of such fair share entities through September 30, 2022:
23 *Provided further*, That of those funds transferred to this
24 account from the fair share entities to pay the cost of ad-
25 ministration of the Federal Employees' Compensation Act,

1 \$80,920,000 shall be made available to the Secretary as
2 follows:

3 (1) For enhancement and maintenance of auto-
4 mated data processing systems operations and tele-
5 communications systems, \$27,445,000;

6 (2) For automated workload processing oper-
7 ations, including document imaging, centralized mail
8 intake, and medical bill processing, \$25,859,000;

9 (3) For periodic roll disability management and
10 medical review, \$25,860,000;

11 (4) For program integrity, \$1,756,000; and

12 (5) The remaining funds shall be paid into the
13 Treasury as miscellaneous receipts:

14 *Provided further*, That the Secretary may require that any
15 person filing a notice of injury or a claim for benefits
16 under 5 U.S.C. 81, or the Longshore and Harbor Work-
17 ers' Compensation Act, provide as part of such notice and
18 claim, such identifying information (including Social Secu-
19 rity account number) as such regulations may prescribe.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, as amended by Public Law 107–
23 275, \$32,970,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts
2 as may be necessary.

3 For making benefit payments under title IV for the
4 first quarter of fiscal year 2023, \$11,000,000, to remain
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy
9 Employees Occupational Illness Compensation Program
10 Act, \$63,428,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may require that any person fil-
12 ing a claim for benefits under the Act provide as part of
13 such claim such identifying information (including Social
14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung
18 Disability Trust Fund (the “Fund”), to remain available
19 until expended, for payment of all benefits authorized by
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
21 enue Code of 1986; and repayment of, and payment of
22 interest on advances, as authorized by section 9501(d)(4)
23 of that Act. In addition, the following amounts may be
24 expended from the Fund for fiscal year 2022 for expenses
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to
2 exceed \$41,464,000 for transfer to the Office of Workers'
3 Compensation Programs, "Salaries and Expenses"; not to
4 exceed \$37,598,000 for transfer to Departmental Manage-
5 ment, "Salaries and Expenses"; not to exceed \$342,000
6 for transfer to Departmental Management, "Office of In-
7 spector General"; and not to exceed \$356,000 for pay-
8 ments into miscellaneous receipts for the expenses of the
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$691,787,000, including not
14 to exceed \$118,737,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2022, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That \$14,787,000 shall
10 be available for Susan Harwood training grants, of which
11 not less than \$4,500,000 is for Susan Harwood Training
12 Capacity Building Developmental grants for program ac-
13 tivities starting not later than September 30, 2022 and
14 lasting for a period of 12 months.

15 MINE SAFETY AND HEALTH ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Mine Safety and
18 Health Administration, \$404,816,000, including purchase
19 and bestowal of certificates and trophies in connection
20 with mine rescue and first-aid work, and the hire of pas-
21 senger motor vehicles, including up to \$2,000,000 for
22 mine rescue and recovery activities and not less than
23 \$10,537,000 for State assistance grants: *Provided*, That
24 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
25 may be collected by the National Mine Health and Safety

1 Academy for room, board, tuition, and the sale of training
2 materials, otherwise authorized by law to be collected, to
3 be available for mine safety and health education and
4 training activities: *Provided further*, That notwithstanding
5 31 U.S.C. 3302, the Mine Safety and Health Administra-
6 tion is authorized to collect and retain up to \$2,499,000
7 from fees collected for the approval and certification of
8 equipment, materials, and explosives for use in mines, and
9 may utilize such sums for such activities: *Provided further*,
10 That the Secretary is authorized to accept lands, build-
11 ings, equipment, and other contributions from public and
12 private sources and to prosecute projects in cooperation
13 with other agencies, Federal, State, or private: *Provided*
14 *further*, That the Mine Safety and Health Administration
15 is authorized to promote health and safety education and
16 training in the mining community through cooperative
17 programs with States, industry, and safety associations:
18 *Provided further*, That the Secretary is authorized to rec-
19 ognize the Joseph A. Holmes Safety Association as a prin-
20 cipal safety association and, notwithstanding any other
21 provision of law, may provide funds and, with or without
22 reimbursement, personnel, including service of Mine Safe-
23 ty and Health Administration officials as officers in local
24 chapters or in the national organization: *Provided further*,
25 That any funds available to the Department of Labor may

1 be used, with the approval of the Secretary, to provide
2 for the costs of mine rescue and survival operations in the
3 event of a major disaster.

4 BUREAU OF LABOR STATISTICS

5 SALARIES AND EXPENSES

6 For necessary expenses for the Bureau of Labor Sta-
7 tistics, including advances or reimbursements to State,
8 Federal, and local agencies and their employees for serv-
9 ices rendered, \$632,653,000, together with not to exceed
10 \$68,000,000 which may be expended from the Employ-
11 ment Security Administration account in the Unemploy-
12 ment Trust Fund.

13 Within this amount, \$28,470,000 for costs associated
14 with the physical move of the Bureau of Labor Statistics'
15 headquarters, including replication of space, furniture, fix-
16 tures, equipment, and related costs shall remain available
17 until September 30, 2026.

18 OFFICE OF DISABILITY EMPLOYMENT POLICY

19 SALARIES AND EXPENSES

20 For necessary expenses for the Office of Disability
21 Employment Policy to provide leadership, develop policy
22 and initiatives, and award grants furthering the objective
23 of eliminating barriers to the training and employment of
24 people with disabilities, \$42,711,000.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$456,911,000, together with not to exceed \$308,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That \$97,947,000 for the Bureau of
10 International Labor Affairs shall be available for obliga-
11 tion through December 31, 2022: *Provided further*, That
12 funds available to the Bureau of International Labor Af-
13 fairs may be used to administer or operate international
14 labor activities, bilateral and multilateral technical assist-
15 ance, and microfinance programs, by or through contracts,
16 grants, subgrants and other arrangements: *Provided fur-*
17 *ther*, That not more than \$57,772,000 shall be for pro-
18 grams to combat exploitative child labor internationally
19 and not less than \$40,175,000 shall be used to implement
20 model programs that address worker rights issues through
21 technical assistance in countries with which the United
22 States has free trade agreements or trade preference pro-
23 grams: *Provided further*, That \$10,040,000 shall be used
24 for program evaluation and shall be available for obliga-
25 tion through September 30, 2023: *Provided further*, That

1 funds available for program evaluation may be used to ad-
2 minister grants for the purpose of evaluation: *Provided*
3 *further*, That grants made for the purpose of evaluation
4 shall be awarded through fair and open competition: *Pro-*
5 *vided further*, That funds available for program evaluation
6 may be transferred to any other appropriate account in
7 the Department for such purpose: *Provided further*, That
8 the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate are notified at least 15 days
10 in advance of any transfer: *Provided further*, That the
11 funds available to the Women's Bureau may be used for
12 grants to serve and promote the interests of women in the
13 workforce: *Provided further*, That of the amounts made
14 available to the Women's Bureau, not less than
15 \$6,794,000 shall be used for grants authorized by the
16 Women in Apprenticeship and Nontraditional Occupations
17 Act.

18 VETERANS' EMPLOYMENT AND TRAINING

19 Not to exceed \$267,331,000 may be derived from the
20 Employment Security Administration account in the Un-
21 employment Trust Fund to carry out the provisions of
22 chapters 41, 42, and 43 of title 38, United States Code,
23 of which—

24 (1) \$180,000,000 is for Jobs for Veterans State
25 grants under 38 U.S.C. 4102A(b)(5) to support dis-

1 abled veterans' outreach program specialists under
2 section 4103A of such title and local veterans' em-
3 ployment representatives under section 4104(b) of
4 such title, and for the expenses described in section
5 4102A(b)(5)(C), which shall be available for expend-
6 iture by the States through September 30, 2024,
7 and not to exceed 3 percent for the necessary Fed-
8 eral expenditures for data systems and contract sup-
9 port to allow for the tracking of participant and per-
10 formance information: *Provided*, That, in addition,
11 such funds may be used to support such specialists
12 and representatives in the provision of services to
13 transitioning members of the Armed Forces who
14 have participated in the Transition Assistance Pro-
15 gram and have been identified as in need of inten-
16 sive services, to members of the Armed Forces who
17 are wounded, ill, or injured and receiving treatment
18 in military treatment facilities or warrior transition
19 units, and to the spouses or other family caregivers
20 of such wounded, ill, or injured members;

21 (2) \$31,379,000 is for carrying out the Transi-
22 tion Assistance Program under 38 U.S.C. 4113 and
23 10 U.S.C. 1144;

24 (3) \$52,538,000 is for Federal administration
25 of chapters 41, 42, and 43 of title 38, and sections

1 2021, 2021A and 2023 of title 38, United States
2 Code: *Provided*, That, up to \$500,000 may be used
3 to carry out the Hire VETS Act (division O of Pub-
4 lic Law 115–31); and

5 (4) \$3,414,000 is for the National Veterans’
6 Employment and Training Services Institute under
7 38 U.S.C. 4109:

8 *Provided*, That the Secretary may reallocate among the
9 appropriations provided under paragraphs (1) through (4)
10 above an amount not to exceed 3 percent of the appropria-
11 tion from which such reallocation is made.

12 In addition, from the General Fund of the Treasury,
13 \$67,500,000 is for carrying out programs to assist home-
14 less veterans and veterans at risk of homelessness who are
15 transitioning from certain institutions under sections
16 2021, 2021A, and 2023 of title 38, United States Code:
17 *Provided*, That notwithstanding subsections (c)(3) and (d)
18 of section 2023, the Secretary may award grants through
19 September 30, 2022, to provide services under such sec-
20 tion: *Provided further*, That services provided under sec-
21 tions 2021 or under 2021A may include, in addition to
22 services to homeless veterans described in section
23 2002(a)(1), services to veterans who were homeless at
24 some point within the 60 days prior to program entry or
25 veterans who are at risk of homelessness within the next

1 60 days, and that services provided under section 2023
2 may include, in addition to services to the individuals de-
3 scribed in subsection (e) of such section, services to vet-
4 erans recently released from incarceration who are at risk
5 of homelessness: *Provided further*, That notwithstanding
6 paragraph (3) under this heading, funds appropriated in
7 this paragraph may be used for data systems and contract
8 support to allow for the tracking of participant and per-
9 formance information: *Provided further*, That notwith-
10 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
11 United States Code, such funds shall be available for ex-
12 penditure pursuant to 31 U.S.C. 1553.

13 In addition, fees may be assessed and deposited in
14 the HIRE Vets Medallion Award Fund pursuant to sec-
15 tion 5(b) of the HIRE Vets Act, and such amounts shall
16 be available to the Secretary to carry out the HIRE Vets
17 Medallion Award Program, as authorized by such Act, and
18 shall remain available until expended: *Provided*, That such
19 sums shall be in addition to any other funds available for
20 such purposes, including funds available under paragraph
21 (3) of this heading: *Provided further*, That section 2(d)
22 of division O of the Consolidated Appropriations Act, 2017
23 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
24 apply.

1 IT MODERNIZATION

2 For necessary expenses for Department of Labor cen-
3 tralized infrastructure technology investment activities re-
4 lated to support systems and modernization, \$37,269,000,
5 which shall be available through September 30, 2023.

6 OFFICE OF INSPECTOR GENERAL

7 For salaries and expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$89,738,000, together with not to
10 exceed \$5,660,000 which may be expended from the Em-
11 ployment Security Administration account in the Unem-
12 ployment Trust Fund.

13 GENERAL PROVISIONS

14 SEC. 101. None of the funds appropriated by this Act
15 for the Job Corps shall be used to pay the salary and bo-
16 nuses of an individual, either as direct costs or any prora-
17 tion as an indirect cost, at a rate in excess of Executive
18 Level II.

19 (TRANSFER OF FUNDS)

20 SEC. 102. Not to exceed 1 percent of any discre-
21 tionary funds (pursuant to the Balanced Budget and
22 Emergency Deficit Control Act of 1985) which are appro-
23 priated for the current fiscal year for the Department of
24 Labor in this Act may be transferred between a program,
25 project, or activity, but no such program, project, or activ-

1 ity shall be increased by more than 3 percent by any such
2 transfer: *Provided*, That the transfer authority granted by
3 this section shall not be used to create any new program
4 or to fund any project or activity for which no funds are
5 provided in this Act: *Provided further*, That the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate are notified at least 15 days in advance
8 of any transfer.

9 SEC. 103. In accordance with Executive Order
10 13126, none of the funds appropriated or otherwise made
11 available pursuant to this Act shall be obligated or ex-
12 pended for the procurement of goods mined, produced,
13 manufactured, or harvested or services rendered, in whole
14 or in part, by forced or indentured child labor in industries
15 and host countries already identified by the United States
16 Department of Labor prior to enactment of this Act.

17 SEC. 104. Except as otherwise provided in this sec-
18 tion, none of the funds made available to the Department
19 of Labor for grants under section 414(c) of the American
20 Competitiveness and Workforce Improvement Act of 1998
21 (29 U.S.C. 2916a) may be used for any purpose other
22 than competitive grants for training individuals who are
23 older than 16 years of age and are not currently enrolled
24 in school within a local educational agency in the occupa-
25 tions and industries for which employers are using H-1B

- 1 visas to hire foreign workers, and the related activities
- 2 necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading “Employment and Training Administration” shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

20 (TRANSFER OF FUNDS)

SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to “Program Administration” when it is

1 determined that those services will be more efficiently per-
2 formed by Federal employees: *Provided*, That this section
3 shall not apply to section 171 of the WIOA.

4 (b) Notwithstanding section 102, the Secretary may
5 transfer not more than 0.5 percent of each discretionary
6 appropriation made available to the Employment and
7 Training Administration by this Act to “Program Admin-
8 istration” in order to carry out program integrity activities
9 relating to any of the programs or activities that are fund-
10 ed under any such discretionary appropriations: *Provided*,
11 That notwithstanding section 102 and the preceding pro-
12 viso, the Secretary may transfer not more than 0.5 percent
13 of funds made available in paragraphs (1) and (2) of the
14 “Office of Job Corps” account to paragraph (3) of such
15 account to carry out program integrity activities related
16 to the Job Corps program: *Provided further*, That funds
17 transferred under the authority provided by this sub-
18 section shall be available for obligation through September
19 30, 2023.

20 (TRANSFER OF FUNDS)

21 SEC. 107. (a) The Secretary may reserve not more
22 than 0.75 percent from each appropriation made available
23 in this Act identified in subsection (b) in order to carry
24 out evaluations of any of the programs or activities that
25 are funded under such accounts. Any funds reserved under

1 this section shall be transferred to “Departmental Man-
2 agement” for use by the Office of the Chief Evaluation
3 Officer within the Department of Labor, and shall be
4 available for obligation through September 30, 2023: *Pro-*
5 *vided*, That such funds shall only be available if the Chief
6 Evaluation Officer of the Department of Labor submits
7 a plan to the Committees on Appropriations of the House
8 of Representatives and the Senate describing the evalua-
9 tions to be carried out 15 days in advance of any transfer.

10 (b) The accounts referred to in subsection (a) are:
11 “Training and Employment Services”, “Job Corps”,
12 “Community Service Employment for Older Americans”,
13 “State Unemployment Insurance and Employment Service
14 Operations”, “Employee Benefits Security Administra-
15 tion”, “Office of Workers’ Compensation Programs”,
16 “Wage and Hour Division”, “Office of Federal Contract
17 Compliance Programs”, “Office of Labor Management
18 Standards”, “Occupational Safety and Health Adminis-
19 tration”, “Mine Safety and Health Administration”, “Of-
20 fice of Disability Employment Policy”, funding made
21 available to the “Bureau of International Labor Affairs”
22 and “Women’s Bureau” within the “Departmental Man-
23 agement, Salaries and Expenses” account, and “Veterans’
24 Employment and Training”.

1 SEC. 108. Notwithstanding any other provision of
2 law, the Secretary may furnish through grants, coopera-
3 tive agreements, contracts, and other arrangements, up to
4 \$2,000,000 of excess personal property, at a value deter-
5 mined by the Secretary, to apprenticeship programs for
6 the purpose of training apprentices in those programs.

7 SEC. 109. (a) The Act entitled “An Act to create a
8 Department of Labor”, approved March 4, 1913 (37 Stat.
9 736, chapter 141) shall be applied as if the following text
10 is part of such Act:

11 **“SEC. 12. SECURITY DETAIL.**

12 “(a) IN GENERAL.—The Secretary of Labor is au-
13 thorized to employ law enforcement officers or special
14 agents to—

15 “(1) provide protection for the Secretary of
16 Labor during the workday of the Secretary and dur-
17 ing any activity that is preliminary or postliminary
18 to the performance of official duties by the Sec-
19 retary;

20 “(2) provide protection, incidental to the protec-
21 tion provided to the Secretary, to a member of the
22 immediate family of the Secretary who is partici-
23 pating in an activity or event relating to the official
24 duties of the Secretary;

1 “(3) provide continuous protection to the Sec-
2 retary (including during periods not described in
3 paragraph (1)) and to the members of the imme-
4 diate family of the Secretary if there is a significant
5 and articulable threat of physical harm, in accord-
6 ance with guidelines established by the Secretary;
7 and

8 “(4) provide protection to the Deputy Secretary
9 of Labor in the performance of official duties at a
10 public event outside of the United States if there is
11 a significant and articulable threat of physical harm
12 and protective services are not provided as part of
13 an official U.S. visit.

14 “(b) AUTHORITIES.—The Secretary of Labor may
15 authorize a law enforcement officer or special agent em-
16 ployed under subsection (a), for the purpose of performing
17 the duties authorized under subsection (a), to—

18 “(1) carry firearms;

19 “(2) make arrests without a warrant for any of-
20 fense against the United States committed in the
21 presence of such officer or special agent;

22 “(3) perform protective intelligence work, in-
23 cluding identifying and mitigating potential threats
24 and conducting advance work to review security mat-
25 ters relating to sites and events;

1 “(4) coordinate with local law enforcement
2 agencies; and

3 “(5) initiate criminal and other investigations
4 into potential threats to the security of the Sec-
5 retary, in coordination with the Inspector General of
6 the Department of Labor.

7 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
8 forcement officer or special agent employed under sub-
9 section (a) shall exercise any authority provided under this
10 section in accordance with any—

11 “(1) guidelines issued by the Attorney General;
12 and

13 “(2) guidelines prescribed by the Secretary of
14 Labor.”.

15 (b) This section shall be effective on the date of en-
16 actment of this Act.

17 SEC. 110. The Secretary is authorized to dispose of
18 or divest, by any means the Secretary determines appro-
19 priate, including an agreement or partnership to construct
20 a new Job Corps center, all or a portion of the real prop-
21 erty on which the Treasure Island Job Corps Center is
22 situated. Any sale or other disposition will not be subject
23 to any requirement of any Federal law or regulation relat-
24 ing to the disposition of Federal real property, including
25 but not limited to subchapter III of chapter 5 of title 40

1 of the United States Code and subchapter V of chapter
2 119 of title 42 of the United States Code. The net pro-
3 ceeds of such a sale shall be transferred to the Secretary,
4 which shall be available until expended to carry out the
5 Job Corps Program on Treasure Island.

6 SEC. 111. None of the funds made available by this
7 Act may be used to—

8 (1) alter or terminate the Interagency Agree-
9 ment between the United States Department of
10 Labor and the United States Department of Agri-
11 culture; or

12 (2) close any of the Civilian Conservation Cen-
13 ters, except if such closure is necessary to prevent
14 the endangerment of the health and safety of the
15 students, the capacity of the program is retained,
16 and the requirements of section 159(j) of the WIOA
17 are met.

18 SEC. 112. Notwithstanding any other provision of
19 law, not to exceed \$36,000,000 of the unobligated bal-
20 ances available to the Secretary of Labor in fiscal year
21 2022 (other than the amounts specified in subparagraph
22 (2)(J) under the heading “Employment and Training—
23 Training and Employment Services”) may be transferred
24 to the Department’s Working Capital Fund for the acqui-
25 sition of capital equipment, the improvement and imple-

1 mentation of Department financial management, informa-
2 tion technology, infrastructure technology investment ac-
3 tivities related to support systems and modernization, and
4 other support systems necessary for the delivery of finan-
5 cial, administrative, and information technology services
6 of primary benefit to the agencies and programs of the
7 Department of Labor: *Provided*, That any funds so trans-
8 ferred shall remain available for obligation for five fiscal
9 years after the fiscal year of such transfer: *Provided fur-*
10 *ther*, That no funds may be transferred pursuant to this
11 section unless the Chief Information Officer of the Depart-
12 ment of Labor submits a plan to the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate describing the amounts to be transferred by account;
15 the planned use of funds, including descriptions of
16 projects; project status, including any scheduled delays
17 and cost overruns; financial expenditures; planned activi-
18 ties; and expected benefits: *Provided further*, That the
19 transfer authority provided in this section shall be in addi-
20 tion to any other transfer authority provided by law.

21 SEC. 113. (a) Section 118(a) of division BB of the
22 Consolidated Appropriations Act, 2021 (Public Law 116–
23 260) is amended by—

1 (1) inserting “and in addition to amounts oth-
2 erwise available for such purposes,” before “there
3 are appropriated”; and

4 (2) striking “expended through”.

5 (b) The amendments made by this section shall take
6 effect as if included in the enactment of the Consolidated
7 Appropriations Act, 2021.

8 SEC. 114. None of the funds made available by this
9 Act may be used to implement or enforce the final rule
10 entitled “Wagner-Peyser Act Staffing Flexibility” pub-
11 lished by the Department of Labor in the Federal Register
12 on January 6, 2020.

13 SEC. 115. None of the funds made available by this
14 Act may be used to implement or enforce Subpart B of
15 29 CFR Part 29 (29 CFR 29.20 through 29 CFR 29.31
16 (Industry Recognized Apprenticeship Programs)).

17 This title may be cited as the “Department of Labor
18 Appropriations Act, 2022”.

19 TITLE II

20 DEPARTMENT OF HEALTH AND HUMAN

21 SERVICES

22 HEALTH RESOURCES AND SERVICES ADMINISTRATION

23 PRIMARY HEALTH CARE

24 For carrying out titles II and III of the Public Health
25 Service Act (referred to in this Act as the “PHS Act”)

1 with respect to primary health care and the Native Hawai-
2 ian Health Care Act of 1988, \$1,831,772,000: *Provided*,
3 That \$25,000,000 shall be available for the purpose of
4 making grants to support school-based health centers as
5 authorized under section 399Z–1 of the PHS Act (42
6 U.S.C. 280h-5): *Provided further*, That no more than
7 \$1,000,000 shall be available until expended for carrying
8 out the provisions of section 224(o) of the PHS Act: *Pro-*
9 *vided further*, That no more than \$120,000,000 shall be
10 available until expended for carrying out subsections (g)
11 through (n) and (q) of section 224 of the PHS Act, and
12 for expenses incurred by the Department of Health and
13 Human Services (referred to in this Act as “HHS”) per-
14 taining to administrative claims made under such law.

15 HEALTH WORKFORCE

16 For carrying out titles III, VII, and VIII of the PHS
17 Act with respect to the health workforce, sections 1128E
18 and 1921 of the Social Security Act, and the Health Care
19 Quality Improvement Act of 1986, \$1,564,876,000: *Pro-*
20 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
21 and the proportional funding amounts in paragraphs (1)
22 through (4) of section 756(f) of the PHS Act shall not
23 apply to funds made available under this heading: *Pro-*
24 *vided further*, That for any program operating under sec-
25 tion 751 of the PHS Act on or before January 1, 2009,

1 the Secretary of Health and Human Services (referred to
2 in this title as the “Secretary”) may hereafter waive any
3 of the requirements contained in sections 751(d)(2)(A)
4 and 751(d)(2)(B) of such Act for the full project period
5 of a grant under such section: *Provided further*, That fees
6 collected for the disclosure of information under section
7 427(b) of the Health Care Quality Improvement Act of
8 1986 and sections 1128E(d)(2) and 1921 of the Social
9 Security Act shall be sufficient to recover the full costs
10 of operating the programs authorized by such sections and
11 shall remain available until expended for the National
12 Practitioner Data Bank: *Provided further*, That funds
13 transferred to this account to carry out section 846 and
14 subpart 3 of part D of title III of the PHS Act may be
15 used to make prior year adjustments to awards made
16 under such section and subpart: *Provided further*, That
17 \$185,000,000 shall remain available until expended for
18 the purposes of providing primary health services, assign-
19 ing National Health Service Corps (“NHSC”) members
20 to expand the delivery of substance use disorder treatment
21 services, notwithstanding the assignment priorities and
22 limitations under sections 333(a)(1)(D), 333(b), and
23 333A(a)(1)(B)(ii) of the PHS Act, and making payments
24 under the NHSC Loan Repayment Program under section
25 338B of such Act: *Provided further*, That, within the

1 amount made available in the previous proviso,
2 \$15,000,000 shall remain available until expended for the
3 purposes of making payments under the NHSC Loan Re-
4 payment Program under section 338B of the PHS Act
5 to individuals participating in such program who provide
6 primary health services in Indian Health Service facilities,
7 Tribally-Operated 638 Health Programs, and Urban In-
8 dian Health Programs (as those terms are defined by the
9 Secretary), notwithstanding the assignment priorities and
10 limitations under section 333(b) of such Act: *Provided fur-*
11 *ther*, That for purposes of the previous two provisos, sec-
12 tion 331(a)(3)(D) of the PHS Act shall be applied as if
13 the term “primary health services” includes clinical sub-
14 stance use disorder treatment services, including those
15 provided by masters level, licensed substance use disorder
16 treatment counselors: *Provided further*, That of the funds
17 made available under this heading, \$15,000,000 shall be
18 available to make grants to establish or expand optional
19 community-based nurse practitioner fellowship programs
20 that are accredited or in the accreditation process, with
21 a preference for those in Federally Qualified Health Cen-
22 ters, for practicing postgraduate nurse practitioners in
23 primary care or behavioral health.

24 Of the funds made available under this heading,
25 \$75,000,000 shall remain available until expended for

1 grants to public institutions of higher education to expand
2 or support graduate education for physicians provided by
3 such institutions: *Provided*, That, in awarding such
4 grants, the Secretary shall give priority to public institu-
5 tions of higher education located in States with a projected
6 primary care provider shortage in 2026, as determined by
7 the Secretary: *Provided further*, That grants so awarded
8 are limited to such public institutions of higher education
9 in States in the top quintile of States with a projected
10 primary care provider shortage in 2026, as determined by
11 the Secretary: *Provided further*, That the minimum
12 amount of a grant so awarded to such an institution shall
13 be not less than \$1,000,000 per year: *Provided further*,
14 That such a grant may be awarded for a period not to
15 exceed 5 years: *Provided further*, That amounts made
16 available in this paragraph shall be awarded as supple-
17 mental grants to recipients of grants awarded for this pur-
18 pose in fiscal years 2020 and 2021, pursuant to the terms
19 and conditions of each institution's initial grant agree-
20 ment, in an amount for each institution that will result
21 in every institution being awarded the same total grant
22 amount over fiscal years 2020 through 2022, provided the
23 institution can justify the expenditure of such funds: *Pro-*
24 *vided further*, That such a grant awarded with respect to
25 a year to such an institution shall be subject to a matching

1 requirement of non-Federal funds in an amount that is
2 not less than 10 percent of the total amount of Federal
3 funds provided in the grant to such institution with re-
4 spect to such year.

5 MATERNAL AND CHILD HEALTH

6 For carrying out titles III, XI, XII, and XIX of the
7 PHS Act with respect to maternal and child health and
8 title V of the Social Security Act, \$1,188,784,000: *Pro-*
9 *vided*, That notwithstanding sections 502(a)(1) and
10 502(b)(1) of the Social Security Act, not more than
11 \$266,116,000 shall be available for carrying out special
12 projects of regional and national significance pursuant to
13 section 501(a)(2) of such Act and \$10,276,000 shall be
14 available for projects described in subparagraphs (A)
15 through (F) of section 501(a)(3) of such Act.

16 RYAN WHITE HIV/AIDS PROGRAM

17 For carrying out title XXVI of the PHS Act with
18 respect to the Ryan White HIV/AIDS program,
19 \$2,654,781,000, of which \$2,087,881,000 shall remain
20 available to the Secretary through September 30, 2024,
21 for parts A and B of title XXVI of the PHS Act, and
22 of which not less than \$900,313,000 shall be for State
23 AIDS Drug Assistance Programs under the authority of
24 section 2616 or 311(c) of such Act; and of which
25 \$190,000,000, to remain available until expended, shall be

1 available to the Secretary for carrying out a program of
2 grants and contracts under title XXVI or section 311(c)
3 of such Act focused on ending the nationwide HIV/AIDS
4 epidemic, with any grants issued under such section
5 311(c) administered in conjunction with title XXVI of the
6 PHS Act, including the limitation on administrative ex-
7 penses.

8 HEALTH CARE SYSTEMS

9 For carrying out titles III and XII of the PHS Act
10 with respect to health care systems, and the Stem Cell
11 Therapeutic and Research Act of 2005, \$147,093,000, of
12 which \$122,000 shall be available until expended for facili-
13 ties renovations and other facilities-related expenses of the
14 National Hansen's Disease Program.

15 RURAL HEALTH

16 For carrying out titles III and IV of the PHS Act
17 with respect to rural health, section 427(a) of the Federal
18 Coal Mine Health and Safety Act of 1969, and sections
19 711 and 1820 of the Social Security Act, \$400,209,000,
20 of which \$80,009,000 from general revenues, notwith-
21 standing section 1820(j) of the Social Security Act, shall
22 be available for carrying out the Medicare rural hospital
23 flexibility grants program: *Provided*, That of the funds
24 made available under this heading for Medicare rural hos-
25 pital flexibility grants, \$23,242,000 shall be available for

1 the Small Rural Hospital Improvement Grant Program
2 for quality improvement and adoption of health informa-
3 tion technology and up to \$1,000,000 shall be to carry
4 out section 1820(g)(6) of the Social Security Act, with
5 funds provided for grants under section 1820(g)(6) avail-
6 able for the purchase and implementation of telehealth
7 services, including pilots and demonstrations on the use
8 of electronic health records to coordinate rural veterans
9 care between rural providers and the Department of Vet-
10 erans Affairs electronic health record system: *Provided*
11 *further*, That notwithstanding section 338J(k) of the PHS
12 Act, \$13,000,000 shall be available for State Offices of
13 Rural Health: *Provided further*, That \$12,700,000 shall
14 remain available through September 30, 2024, to support
15 the Rural Residency Development Program.

16 FAMILY PLANNING

17 For carrying out the program under title X of the
18 PHS Act to provide for voluntary family planning
19 projects, \$400,000,000: *Provided*, That amounts provided
20 to said projects under such title shall not be expended for
21 abortions, that all pregnancy counseling shall be nondirec-
22 tive, and that such amounts shall not be expended for any
23 activity (including the publication or distribution of lit-
24 erature) that in any way tends to promote public support
25 or opposition to any legislative proposal or candidate for

1 public office: *Provided further*, That all entities funded
2 under this heading shall provide clinical services consistent
3 with nationally recognized clinical standards: *Provided fur-*
4 *ther*, That projects funded under section 1001 of the PHS
5 Act shall provide the full range of contraceptive methods
6 approved by the Food and Drug Administration: *Provided*
7 *further*, That all patients under title X of the PHS Act
8 with a positive pregnancy test shall be given the oppor-
9 tunity to be provided information and counseling regard-
10 ing (1) prenatal care and delivery; (2) infant care, foster
11 care, and adoption; and (3) pregnancy termination: *Pro-*
12 *vided further*, That if such a patient requests information
13 specified in the preceding proviso, such patient shall be
14 provided with neutral, factual information and nondirec-
15 tive counseling on each such option, including referral
16 upon request, except with respect to any option about
17 which the patient indicates no interest in receiving such
18 information and counseling.

19 PROGRAM MANAGEMENT

20 For program support in the Health Resources and
21 Services Administration, \$536,407,000: *Provided*, That
22 funds made available under this heading may be used to
23 supplement program support funding provided under the
24 headings “Primary Health Care”, “Health Workforce”,
25 “Maternal and Child Health”, “Ryan White HIV/AIDS

1 Program”, “Health Care Systems”, and “Rural Health”:
2 *Provided*, That of the amount made available under this
3 heading, \$367,415,000 shall be used for the projects fi-
4 nancing the construction and renovation (including equip-
5 ment) of health care and other facilities, and for the
6 projects financing one-time grants that support activities
7 funded under headings listed in the preceding proviso, and
8 in the amounts, specified under the heading “Program
9 Management” in the report accompanying this Act, and
10 of which up to \$4,000,000 may be used for related agency
11 administrative expenses: *Provided further*, That none of
12 the funds made available for projects described in the pre-
13 ceding proviso shall be subject to section 241 of the PHS
14 Act or section 205 of this Act.

15 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

16 For payments from the Vaccine Injury Compensation
17 Program Trust Fund (the “Trust Fund”), such sums as
18 may be necessary for claims associated with vaccine-re-
19 lated injury or death with respect to vaccines administered
20 after September 30, 1988, pursuant to subtitle 2 of title
21 XXI of the PHS Act, to remain available until expended:
22 *Provided*, That for necessary administrative expenses, not
23 to exceed \$16,200,000 shall be available from the Trust
24 Fund to the Secretary.

1 COVERED COUNTERMEASURES PROCESS FUND

2 For carrying out section 319F–4 of the PHS Act,
3 \$5,000,000, to remain available until expended.

4 CENTERS FOR DISEASE CONTROL AND PREVENTION

5 IMMUNIZATION AND RESPIRATORY DISEASES

6 For carrying out titles II, III, XVII, and XXI, and
7 section 2821 of the PHS Act, titles II and IV of the Immi-
8 gration and Nationality Act, and section 501 of the Ref-
9 ugee Education Assistance Act, with respect to immuniza-
10 tion and respiratory diseases, \$531,580,000.

11 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

12 DISEASES, AND TUBERCULOSIS PREVENTION

13 For carrying out titles II, III, XVII, and XXIII of
14 the PHS Act with respect to HIV/AIDS, viral hepatitis,
15 sexually transmitted diseases, and tuberculosis prevention,
16 \$1,501,556,000.

17 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

18 For carrying out titles II, III, and XVII, and section
19 2821 of the PHS Act, titles II and IV of the Immigration
20 and Nationality Act, and section 501 of the Refugee Edu-
21 cation Assistance Act, with respect to emerging and
22 zoonotic infectious diseases, \$674,272,000: *Provided*, That
23 of the amounts made available under this heading, up to
24 \$1,000,000 shall remain available until expended to pay
25 for the transportation, medical care, treatment, and other

1 related costs of persons quarantined or isolated under
2 Federal or State quarantine law.

3 CHRONIC DISEASE PREVENTION AND HEALTH
4 PROMOTION

5 For carrying out titles II, III, XI, XV, XVII, and
6 XIX of the PHS Act with respect to chronic disease pre-
7 vention and health promotion, \$1,302,114,000: *Provided*,
8 That funds made available under this heading may be
9 available for making grants under section 1509 of the
10 PHS Act for not less than 21 States, tribes, or tribal orga-
11 nizations: *Provided further*, That of the funds made avail-
12 able under this heading, \$15,000,000 shall be available to
13 continue and expand community specific extension and
14 outreach programs to combat obesity in counties with the
15 highest levels of obesity: *Provided further*, That the pro-
16 portional funding requirements under section 1503(a) of
17 the PHS Act shall not apply to funds made available
18 under this heading.

19 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
20 DISABILITIES AND HEALTH

21 For carrying out titles II, III, XI, and XVII of the
22 PHS Act with respect to birth defects, developmental dis-
23 abilities, disabilities and health, \$186,810,000.

1 PUBLIC HEALTH SCIENTIFIC SERVICES

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to health statistics, surveillance, health
4 informatics, and workforce development, \$756,997,000.

5 ENVIRONMENTAL HEALTH

6 For carrying out titles II, III, and XVII of the PHS
7 Act with respect to environmental health, \$326,350,000.

8 INJURY PREVENTION AND CONTROL

9 For carrying out titles II, III, and XVII of the PHS
10 Act with respect to injury prevention and control,
11 \$1,064,169,000.

12 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
13 HEALTH

14 For carrying out titles II, III, and XVII of the PHS
15 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
16 of the Federal Mine Safety and Health Act, section 13
17 of the Mine Improvement and New Emergency Response
18 Act, and sections 20, 21, and 22 of the Occupational Safe-
19 ty and Health Act, with respect to occupational safety and
20 health, \$360,300,000.

21 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

22 COMPENSATION PROGRAM

23 For necessary expenses to administer the Energy
24 Employees Occupational Illness Compensation Program
25 Act, \$55,358,000, to remain available until expended: *Pro-*

1 *vided*, That this amount shall be available consistent with
2 the provision regarding administrative expenses in section
3 151(b) of division B, title I of Public Law 106–554.

4 GLOBAL HEALTH

5 For carrying out titles II, III, and XVII of the PHS
6 Act with respect to global health, \$842,843,000, of which:
7 (1) \$128,421,000 shall remain available through Sep-
8 tember 30, 2023 for international HIV/AIDS; and (2)
9 \$448,200,000 shall remain available through September
10 30, 2024 for global public health protection: *Provided*,
11 That funds may be used for purchase and insurance of
12 official motor vehicles in foreign countries.

13 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

14 For carrying out titles II, III, and XVII of the PHS
15 Act with respect to public health preparedness and re-
16 sponse, and for expenses necessary to support activities
17 related to countering potential biological, nuclear, radio-
18 logical, and chemical threats to civilian populations,
19 \$862,200,000: *Provided*, That the Director of the Centers
20 for Disease Control and Prevention (referred to in this
21 title as “CDC”) or the Administrator of the Agency for
22 Toxic Substances and Disease Registry may detail staff
23 without reimbursement to support an activation of the
24 CDC Emergency Operations Center, so long as the Direc-
25 tor or Administrator, as applicable, provides a notice to

1 the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate within 15 days of the use of
3 this authority, a full report within 30 days after use of
4 this authority which includes the number of staff and
5 funding level broken down by the originating center and
6 number of days detailed, and an update of such report
7 every 180 days until staff are no longer on detail without
8 reimbursement to the CDC Emergency Operations Center.

9 BUILDINGS AND FACILITIES

10 (INCLUDING TRANSFER OF FUNDS)

11 For acquisition of real property, equipment, construc-
12 tion, installation, demolition, and renovation of facilities,
13 \$55,000,000, which shall remain available until September
14 30, 2026: *Provided*, That funds made available to this ac-
15 count in this or any prior Act that are available for the
16 acquisition of real property or for construction or improve-
17 ment of facilities shall be available to make improvements
18 on non-federally owned property, provided that any im-
19 provements that are not adjacent to federally owned prop-
20 erty do not exceed \$2,500,000, and that the primary ben-
21 efit of such improvements accrues to CDC: *Provided fur-*
22 *ther*, That funds previously set-aside by CDC for repair
23 and upgrade of the Lake Lynn Experimental Mine and
24 Laboratory shall be used to acquire a replacement mine
25 safety research facility: *Provided further*, That in addition,

1 the prior year unobligated balance of any amounts as-
2 signed to former employees in accounts of CDC made
3 available for Individual Learning Accounts shall be cred-
4 ited to and merged with the amounts made available under
5 this heading to support the replacement of the mine safety
6 research facility.

7 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out titles II, III, XVII and XIX, and
10 section 2821 of the PHS Act and for cross-cutting activi-
11 ties and program support for activities funded in other
12 appropriations included in this Act for the Centers for
13 Disease Control and Prevention, \$1,148,570,000, of which
14 \$1,000,000,000 shall remain available through September
15 30, 2024, for public health infrastructure and capacity:
16 *Provided*, That paragraphs (1) through (3) of subsection
17 (b) of section 2821 of the PHS Act shall not apply to
18 funds appropriated under this heading and in all other ac-
19 counts of the CDC: *Provided further*, That of the amounts
20 made available under this heading, \$35,000,000, to re-
21 main available until expended, shall be available to the Di-
22 rector of the CDC for deposit in the Infectious Diseases
23 Rapid Response Reserve Fund established by section 231
24 of division B of Public Law 115–245: *Provided further*,
25 That funds appropriated under this heading may be used

1 to support a contract for the operation and maintenance
2 of an aircraft in direct support of activities throughout
3 CDC to ensure the agency is prepared to address public
4 health preparedness emergencies: *Provided further*, That
5 employees of CDC or the Public Health Service, both civil-
6 ian and commissioned officers, detailed to States, munici-
7 palities, or other organizations under authority of section
8 214 of the PHS Act, or in overseas assignments, shall be
9 treated as non-Federal employees for reporting purposes
10 only and shall not be included within any personnel ceiling
11 applicable to the Agency, Service, or HHS during the pe-
12 riod of detail or assignment: *Provided further*, That CDC
13 may use up to \$10,000 from amounts appropriated to
14 CDC in this Act for official reception and representation
15 expenses when specifically approved by the Director of
16 CDC: *Provided further*, That in addition, such sums as
17 may be derived from authorized user fees, which shall be
18 credited to the appropriation charged with the cost there-
19 of: *Provided further*, That with respect to the previous pro-
20 viso, authorized user fees from the Vessel Sanitation Pro-
21 gram and the Respirator Certification Program shall be
22 available through September 30, 2023.

1 NATIONAL INSTITUTES OF HEALTH

2 NATIONAL CANCER INSTITUTE

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to cancer, \$6,798,056,000, of which up
5 to \$30,000,000 may be used for facilities repairs and im-
6 provements at the National Cancer Institute—Frederick
7 Federally Funded Research and Development Center in
8 Frederick, Maryland.

9 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$3,866,828,000.

13 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
14 RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, \$519,010,000.

18 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
19 KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, \$2,237,625,000.

1 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
2 AND STROKE

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to neurological disorders and stroke,
5 \$2,723,515,000.

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
7 DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to allergy and infectious diseases,
10 \$6,557,803,000.

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$3,139,656,000, of which \$1,271,505,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than \$415,000,000 is provided for the Institutional Development Awards program.

18 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
19 CHILD HEALTH AND HUMAN DEVELOPMENT

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to child health and human development,
22 \$1,689,786,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to eye diseases and visual disorders,
4 \$877,129,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
6 SCIENCES

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to environmental health sciences,
9 \$941,799,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to aging, \$4,258,049,000.

13 NATIONAL INSTITUTE OF ARTHRITIS AND
14 MUSCULOSKELETAL AND SKIN DISEASES

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to arthritis and musculoskeletal and skin
17 diseases, \$679,410,000.

18 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
19 COMMUNICATION DISORDERS

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to deafness and other communication dis-
22 orders, \$522,758,000.

23 NATIONAL INSTITUTE OF NURSING RESEARCH

24 For carrying out section 301 and title IV of the PHS
25 Act with respect to nursing research, \$200,782,000.

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
2 ALCOHOLISM

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to alcohol abuse and alcoholism,
5 \$582,422,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to drug abuse, \$1,860,329,000.

9 NATIONAL INSTITUTE OF MENTAL HEALTH

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to mental health, \$2,147,085,000.

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to human genome research,
15 \$646,295,000.

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
17 BIOENGINEERING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to biomedical imaging and bioengineering
20 research, \$431,081,000.

21 NATIONAL CENTER FOR COMPLEMENTARY AND
22 INTEGRATIVE HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to complementary and integrative health,
25 \$185,295,000.

1 NATIONAL INSTITUTE ON MINORITY HEALTH AND
2 HEALTH DISPARITIES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to minority health and health disparities
5 research, \$661,879,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities of the John E. Fogarty
8 International Center (described in subpart 2 of part E of
9 title IV of the PHS Act), \$96,842,000.

10 NATIONAL LIBRARY OF MEDICINE

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to health information communications,
13 \$486,769,000: *Provided*, That of the amounts available for
14 improvement of information systems, \$4,000,000 shall be
15 available until September 30, 2023: *Provided further*, That
16 in fiscal year 2022, the National Library of Medicine may
17 enter into personal services contracts for the provision of
18 services in facilities owned, operated, or constructed under
19 the jurisdiction of the National Institutes of Health (re-
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to translational sciences, \$897,812,000:
25 *Provided*, That up to \$60,000,000 shall be available to im-

plement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least \$616,183,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR
(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, \$2,667,385,000: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That \$180,000,000 shall be for the Environmental Influences on Child Health Outcomes study: *Provided further*, That \$657,112,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That

1 \$50,000,000 shall be used to carry out section 404I of
2 the PHS Act (42 U.S.C. 283K), relating to biomedical and
3 behavioral research facilities: *Provided further*, That
4 \$5,000,000 shall be transferred to and merged with the
5 appropriation for the “Office of Inspector General” for
6 oversight of grant programs and operations of the NIH,
7 including agency efforts to ensure the integrity of its grant
8 application evaluation and selection processes, and shall
9 be in addition to funds otherwise made available for over-
10 sight of the NIH: *Provided further*, That the funds pro-
11 vided in the previous proviso may be transferred from one
12 specified activity to another with 15 days prior approval
13 of the Committees on Appropriations of the House of Rep-
14 resentatives and the Senate: *Provided further*, That the In-
15 spector General shall consult with the Committees on Ap-
16 propriations of the House of Representatives and the Sen-
17 ate before submitting to the Committees an audit plan for
18 fiscal years 2022 and 2023 no later than 30 days after
19 the date of enactment of this Act: *Provided further*, That
20 amounts made available under this heading are also avail-
21 able to establish, operate, and support the Research Policy
22 Board authorized by section 2034(f) of the 21st Century
23 Cures Act: *Provided further*, That the funds made avail-
24 able under this heading for the Office of Research on
25 Women’s Health shall also be available for making grants

1 to serve and promote the interests of women in research,
2 and the director of such Office may, in making such
3 grants, use the authorities available to NIH Institutes and
4 Centers with respect to research on the role of sex and
5 gender on health.

6 In addition to other funds appropriated for the Com-
7 mon Fund established under section 402A(c) of the PHS
8 Act, \$12,600,000 is appropriated to the Common Fund
9 for the purpose of carrying out section 402(b)(7)(B)(ii)
10 of the PHS Act (relating to pediatric research), as author-
11 ized in the Gabriella Miller Kids First Research Act, of
12 which \$3,000,000 shall be derived from the 10-year Pedi-
13 atric Research Initiative Fund described in section 9008
14 of the Internal Revenue Code of 1986 (26 U.S.C. 9008).

15 BUILDINGS AND FACILITIES

16 For the study of, construction of, demolition of, ren-
17 ovation of, and acquisition of equipment for, facilities of
18 or used by NIH, including the acquisition of real property,
19 \$250,000,000, to remain available through September 30,
20 2026.

21 NIH INNOVATION ACCOUNT, CURES ACT

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out the purposes de-
24 scribed in section 1001(b)(4) of the 21st Century Cures
25 Act, in addition to amounts available for such purposes

1 in the appropriations provided to the NIH in this Act,
2 \$496,000,000, to remain available until expended: *Pro-*
3 *vided*, That such amounts are appropriated pursuant to
4 section 1001(b)(3) of such Act, are to be derived from
5 amounts transferred under section 1001(b)(2)(A) of such
6 Act, and may be transferred by the Director of the Na-
7 tional Institutes of Health to other accounts of the Na-
8 tional Institutes of Health solely for the purposes provided
9 in such Act: *Provided further*, That upon a determination
10 by the Director that funds transferred pursuant to the
11 previous proviso are not necessary for the purposes pro-
12 vided, such amounts may be transferred back to the Ac-
13 count: *Provided further*, That the transfer authority pro-
14 vided under this heading is in addition to any other trans-
15 fer authority provided by law.

16 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to advanced research projects for health,
19 \$3,000,000,000, to remain available through September
20 30, 2024: *Provided*, That such funds shall only be made
21 available if legislation specifically establishing the Ad-
22 vanced Research Projects Agency for Health (“ARPA-
23 H”) is enacted into law: *Provided further*, That the Direc-
24 tor of ARPA–H may utilize all of the authorities and proc-
25 esses established under section 24 of the Stevenson-

1 Wydler Technology Innovation Act of 1980 (15 U.S.C.
2 3719) to support prize competitions: *Provided further*,
3 That research funded by amounts made available under
4 this heading shall not be subject to the requirements of
5 sections 406(a)(3)(A)(ii) or 492 of the PHS Act: *Provided*
6 *further*, That the Director of ARPA-H may enter into a
7 multi-year contract, with amounts made available under
8 this heading, if—

9 (1) funds are available and obligated for the
10 contract, for the full period of the contract or for the
11 first fiscal year in which the contract is in effect,
12 and for the estimated costs associated with a nec-
13 essary termination of the contract;

14 (2) the Director determines that a multiyear
15 contract will serve the best interests of the Federal
16 Government in carrying out the responsibilities of
17 ARPA-H; and

18 (3) the contract includes a clause that provides
19 that the contract shall be terminated if funds are
20 not made available for the continuation of the con-
21 tract in a fiscal year covered by the contract;

22 *Provided further*, That funds available for paying termi-
23 nation costs pursuant to the previous proviso shall remain
24 available for that purpose until the costs associated with
25 termination of the contract are paid.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$3,128,256,000: *Provided*, That of the funds made avail-
8 able under this heading, \$100,000,000 shall be for the Na-
9 tional Child Traumatic Stress Initiative: *Provided further*,
10 That notwithstanding section 520A(f)(2) of the PHS Act,
11 no funds appropriated for carrying out section 520A shall
12 be available for carrying out section 1971 of the PHS Act:
13 *Provided further*, That in addition to amounts provided
14 herein, \$21,039,000 shall be available under section 241
15 of the PHS Act to carry out subpart I of part B of title
16 XIX of the PHS Act to fund section 1920(b) technical
17 assistance, national data, data collection and evaluation
18 activities, and further that the total available under this
19 Act for section 1920(b) activities shall not exceed 5 per-
20 cent of the amounts appropriated for subpart I of part
21 B of title XIX: *Provided further*, That of the funds made
22 available under this heading for subpart I of part B of
23 title XIX of the PHS Act, at least 10 percent shall be
24 available to support evidence-based crisis systems: *Pro-*
25 *vided further*, That up to 10 percent of the amounts made

1 available to carry out the Children’s Mental Health Serv-
2 ices program may be used to carry out demonstration
3 grants or contracts for early interventions with persons
4 not more than 25 years of age at clinical high risk of de-
5 veloping a first episode of psychosis: *Provided further*,
6 That section 520E(b)(2) of the PHS Act shall not apply
7 to funds appropriated in this Act for fiscal year 2022: *Pro-*
8 *vided further*, That States shall expend at least 10 percent
9 of the amount each receives for carrying out section 1911
10 of the PHS Act to support evidence-based programs that
11 address the needs of individuals with early serious mental
12 illness, including psychotic disorders, regardless of the age
13 of the individual at onset: *Provided further*, That
14 \$375,000,000 shall be available until September 30, 2024
15 for grants to communities and community organizations
16 who meet criteria for Certified Community Behavioral
17 Health Clinics pursuant to section 223(a) of Public Law
18 113–93: *Provided further*, That none of the funds provided
19 for section 1911 of the PHS Act shall be subject to section
20 241 of such Act: *Provided further*, That of the funds made
21 available under this heading, \$21,420,000 shall be to
22 carry out section 224 of the Protecting Access to Medicare
23 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
24 note): *Provided further*, That notwithstanding sections
25 1911(b) and 1912 of the PHS Act, amounts made avail-

1 able under this heading for subpart I of part B of title
2 XIX of such Act shall also be available to support evi-
3 dence-based programs that address early intervention and
4 prevention of mental disorders among at-risk children and
5 adults: *Provided further*, That States shall expend at least
6 10 percent of the amount each receives for carrying out
7 section 1911 of the PHS Act to support evidence-based
8 programs that address early intervention and prevention
9 of mental disorders among at-risk children and adults:
10 *Provided further*, That notwithstanding section 1912 of
11 the PHS Act, the plan described in such section and sec-
12 tion 1911(b) of the PHS Act shall also include the evi-
13 dence-based programs described in the previous proviso,
14 pursuant to plan criteria established by the Secretary.

15 SUBSTANCE ABUSE TREATMENT

16 For carrying out titles III and V of the PHS Act
17 with respect to substance abuse treatment and title XIX
18 of such Act with respect to substance abuse treatment and
19 prevention, and the SUPPORT for Patients and Commu-
20 nities Act, \$5,430,743,000: *Provided*, That
21 \$2,000,000,000 shall be for State Opioid Response Grants
22 for carrying out activities pertaining to opioids and stimu-
23 lants undertaken by the State agency responsible for ad-
24 ministering the substance abuse prevention and treatment
25 block grant under subpart II of part B of title XIX of

1 the PHS Act (42 U.S.C. 300x–21 et seq.): *Provided fur-*
2 *ther*, That of such amount \$75,000,000 shall be made
3 available to Indian Tribes or tribal organizations: *Provided*
4 *further*, That 15 percent of the remaining amount shall
5 be for the States with the highest mortality rate related
6 to opioid use disorders: *Provided further*, That of the
7 amounts provided for State Opioid Response Grants not
8 more than 2 percent shall be available for Federal admin-
9 istrative expenses, training, technical assistance, and eval-
10 uation: *Provided further*, That of the amount not reserved
11 by the previous three provisos, the Secretary shall make
12 allocations to States, territories, and the District of Co-
13 lumbia according to a formula using national survey re-
14 sults that the Secretary determines are the most objective
15 and reliable measure of drug use and drug-related deaths:
16 *Provided further*, That the Secretary shall submit the for-
17 mula methodology to the Committees on Appropriations
18 of the House of Representatives and the Senate not less
19 than 15 days prior to publishing a Funding Opportunity
20 Announcement: *Provided further*, That prevention and
21 treatment activities funded through such grants may in-
22 clude education, treatment (including the provision of
23 medication), behavioral health services for individuals in
24 treatment programs, referral to treatment services, recov-
25 ery support, and medical screening associated with such

1 treatment: *Provided further*, That each State, as well as
2 the District of Columbia, shall receive not less than
3 \$4,000,000: *Provided further*, That in addition to amounts
4 provided herein, the following amounts shall be available
5 under section 241 of the PHS Act: (1) \$79,200,000 to
6 carry out subpart II of part B of title XIX of the PHS
7 Act to fund section 1935(b) technical assistance, national
8 data, data collection and evaluation activities, and further
9 that the total available under this Act for section 1935(b)
10 activities shall not exceed 5 percent of the amounts appro-
11 priated for subpart II of part B of title XIX; and (2)
12 \$2,000,000 to evaluate substance abuse treatment pro-
13 grams: *Provided further*, That each State that receives
14 funds appropriated under this heading for carrying out
15 subpart II of part B of title XIX of the PHS Act shall
16 expend not less than 10 percent of such funds for recovery
17 support services: *Provided further*, That none of the funds
18 provided for section 1921 of the PHS Act or State Opioid
19 Response Grants shall be subject to section 241 of such
20 Act.

21 SUBSTANCE ABUSE PREVENTION

22 For carrying out titles III and V of the PHS Act
23 with respect to substance abuse prevention, \$243,503,000.

1 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

2 For program support and cross-cutting activities that
3 supplement activities funded under the headings “Mental
4 Health”, “Substance Abuse Treatment”, and “Substance
5 Abuse Prevention” in carrying out titles III, V, and XIX
6 of the PHS Act and the Protection and Advocacy for Indi-
7 viduals with Mental Illness Act in the Substance Abuse
8 and Mental Health Services Administration,
9 \$212,108,000: *Provided*, That of the amount made avail-
10 able under this heading, \$70,665,000 shall be used for the
11 projects, and in the amounts, specified under the heading
12 “Health Surveillance and Program Support” in the report
13 accompanying this Act, of which \$1,000,000 may be used
14 for related agency administrative expenses: *Provided fur-*
15 *ther*, That none of the funds made available for projects
16 described in the preceding proviso shall be subject to sec-
17 tion 241 of the PHS Act or section 205 of this Act: *Pro-*
18 *vided further*, That in addition to amounts provided here-
19 in, \$31,428,000 shall be available under section 241 of
20 the PHS Act to supplement funds available to carry out
21 national surveys on drug abuse and mental health, to col-
22 lect and analyze program data, and to conduct public
23 awareness and technical assistance activities: *Provided fur-*
24 *ther*, That, in addition, fees may be collected for the costs
25 of publications, data, data tabulations, and data analysis

1 completed under title V of the PHS Act and provided to
2 a public or private entity upon request, which shall be
3 credited to this appropriation and shall remain available
4 until expended for such purposes: *Provided further*, That
5 amounts made available in this Act for carrying out sec-
6 tion 501(o) of the PHS Act shall remain available through
7 September 30, 2023: *Provided further*, That funds made
8 available under this heading (other than amounts specified
9 in the first proviso under this heading) may be used to
10 supplement program support funding provided under the
11 headings “Mental Health”, “Substance Abuse Treat-
12 ment”, and “Substance Abuse Prevention”.

13 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

14 HEALTHCARE RESEARCH AND QUALITY

15 For carrying out titles III and IX of the PHS Act,
16 part A of title XI of the Social Security Act, and section
17 1013 of the Medicare Prescription Drug, Improvement,
18 and Modernization Act of 2003, \$250,792,000: *Provided*,
19 That in addition to amounts provided herein
20 \$129,208,000 shall be available from amounts available
21 under section 241 of the PHS Act: *Provided further*, That
22 section 947(c) of the PHS Act shall not apply in fiscal
23 year 2022: *Provided further*, That in addition, amounts
24 received from Freedom of Information Act fees, reimburs-
25 able and interagency agreements, and the sale of data

1 shall be credited to this appropriation and shall remain
2 available until September 30, 2023.

3 CENTERS FOR MEDICARE & MEDICAID SERVICES

4 GRANTS TO STATES FOR MEDICAID

5 For carrying out, except as otherwise provided, titles
6 XI and XIX of the Social Security Act, \$368,666,106,000,
7 to remain available until expended.

8 In addition, for carrying out such titles after May 31,
9 2022, for the last quarter of fiscal year 2022 for unantici-
10 pated costs incurred for the current fiscal year, such sums
11 as may be necessary, to remain available until expended.

12 In addition, for carrying out such titles for the first
13 quarter of fiscal year 2023, \$165,722,018,000, to remain
14 available until expended.

15 Payment under such title XIX may be made for any
16 quarter with respect to a State plan or plan amendment
17 in effect during such quarter, if submitted in or prior to
18 such quarter and approved in that or any subsequent
19 quarter.

20 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

21 For payment to the Federal Hospital Insurance
22 Trust Fund and the Federal Supplementary Medical In-
23 surance Trust Fund, as provided under sections 217(g),
24 1844, and 1860D–16 of the Social Security Act, sections
25 103(c) and 111(d) of the Social Security Amendments of

1 1965, section 278(d)(3) of Public Law 97–248, and for
2 administrative expenses incurred pursuant to section
3 201(g) of the Social Security Act, \$487,862,000,000.

4 In addition, for making matching payments under
5 section 1844 and benefit payments under section 1860D–
6 16 of the Social Security Act that were not anticipated
7 in budget estimates, such sums as may be necessary.

8 PROGRAM MANAGEMENT

9 For carrying out, except as otherwise provided, titles
10 XI, XVIII, XIX, and XXI of the Social Security Act, titles
11 XIII and XXVII of the PHS Act, the Clinical Laboratory
12 Improvement Amendments of 1988, and other responsibil-
13 ities of the Centers for Medicare & Medicaid Services, not
14 to exceed \$4,315,843,000, to be transferred from the Fed-
15 eral Hospital Insurance Trust Fund and the Federal Sup-
16 plementary Medical Insurance Trust Fund, as authorized
17 by section 201(g) of the Social Security Act; together with
18 all funds collected in accordance with section 353 of the
19 PHS Act and section 1857(e)(2) of the Social Security
20 Act, funds retained by the Secretary pursuant to section
21 1893(h) of the Social Security Act, and such sums as may
22 be collected from authorized user fees and the sale of data,
23 which shall be credited to this account and remain avail-
24 able until expended: *Provided*, That all funds derived in
25 accordance with 31 U.S.C. 9701 from organizations estab-

1 lished under title XIII of the PHS Act shall be credited
2 to and available for carrying out the purposes of this ap-
3 propriation: *Provided further*, That the Secretary is di-
4 rected to collect fees in fiscal year 2022 from Medicare
5 Advantage organizations pursuant to section 1857(e)(2)
6 of the Social Security Act and from eligible organizations
7 with risk-sharing contracts under section 1876 of that Act
8 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
9 *further*, That of the amount made available under this
10 heading, \$472,163,000 shall remain available until Sep-
11 tember 30, 2023, and shall be available for the Survey
12 and Certification Program: *Provided further*, That
13 amounts available under this heading to support quality
14 improvement organizations (as defined in section 1152 of
15 the Social Security Act) shall not exceed the amount spe-
16 cifically provided for such purpose under this heading in
17 division H of the Consolidated Appropriations Act, 2018
18 (Public Law 115–141).

19 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

20 In addition to amounts otherwise available for pro-
21 gram integrity and program management, \$872,793,000,
22 to remain available through September 30, 2023, to be
23 transferred from the Federal Hospital Insurance Trust
24 Fund and the Federal Supplementary Medical Insurance
25 Trust Fund, as authorized by section 201(g) of the Social

1 Security Act, of which \$650,726,000 shall be for the Cen-
2 ters for Medicare & Medicaid Services program integrity
3 activities, of which \$109,145,000 shall be for the Depart-
4 ment of Health and Human Services Office of Inspector
5 General to carry out fraud and abuse activities authorized
6 by section 1817(k)(3) of such Act, and of which
7 \$112,922,000 shall be for the Department of Justice to
8 carry out fraud and abuse activities authorized by section
9 1817(k)(3) of such Act: *Provided*, That the report re-
10 quired by section 1817(k)(5) of the Social Security Act
11 for fiscal year 2022 shall include measures of the oper-
12 ational efficiency and impact on fraud, waste, and abuse
13 in the Medicare, Medicaid, and CHIP programs for the
14 funds provided by this appropriation: *Provided further*,
15 That of the amount provided under this heading,
16 \$317,000,000 is provided to meet the terms of section 1(j)
17 of H. Res. 467 of the 117th Congress as engrossed in the
18 House of Representatives on June 14, 2021, and
19 \$555,793,000 is additional new budget authority specified
20 for purposes of such section 1(j): *Provided further*, That
21 the Secretary shall provide not less than \$30,000,000
22 from amounts made available under this heading and
23 amounts made available for fiscal year 2022 under section
24 1817(k)(3)(A) of the Social Security Act for the Senior

1 Medicare Patrol program to combat health care fraud and
2 abuse.

3 ADMINISTRATION FOR CHILDREN AND FAMILIES

4 PAYMENTS TO STATES FOR CHILD SUPPORT

5 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

6 For carrying out, except as otherwise provided, titles
7 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
8 and the Act of July 5, 1960, \$2,794,432,000, to remain
9 available until expended; and for such purposes for the
10 first quarter of fiscal year 2023, \$1,300,000,000, to re-
11 main available until expended.

12 For carrying out, after May 31 of the current fiscal
13 year, except as otherwise provided, titles I, IV–D, X, XI,
14 XIV, and XVI of the Social Security Act and the Act of
15 July 5, 1960, for the last 3 months of the current fiscal
16 year for unanticipated costs, incurred for the current fiscal
17 year, such sums as may be necessary.

18 LOW INCOME HOME ENERGY ASSISTANCE

19 For making payments under subsections (b) and (d)
20 of section 2602 of the Low-Income Home Energy Assist-
21 ance Act of 1981 (42 U.S.C. 8621 et seq.),
22 \$3,900,304,000: *Provided*, That notwithstanding section
23 2609A(a) of such Act, not more than \$3,500,000 may be
24 reserved by the Secretary of Health and Human Services
25 for technical assistance, training, and monitoring of pro-

1 gram activities for compliance with internal controls, poli-
2 cies and procedures and the Secretary may, in addition
3 to the authorities provided in section 2609A(a)(1), use
4 such funds through contracts with private entities that do
5 not qualify as nonprofit organizations: *Provided further,*
6 that \$3,746,804,000 of the amount appropriated under
7 this heading shall be allocated to each State and territory
8 in amounts equal to the amount each State and territory
9 was allocated in fiscal year 2021 pursuant to allocations
10 made from amounts appropriated under this heading in
11 title II of division H of the Consolidated Appropriations
12 Act, 2021 (Public Law 116–260): *Provided further,* That
13 of the remaining amount made available under this head-
14 ing that is not designated for allocation in the preceding
15 two provisos, \$75,000,000 shall be allocated as though the
16 total appropriation for such payments for fiscal year 2022
17 was less than \$1,975,000,000.

18 REFUGEE AND ENTRANT ASSISTANCE

19 For necessary expenses for refugee and entrant as-
20 sistance activities authorized by section 414 of the Immi-
21 gration and Nationality Act and section 501 of the Ref-
22 ugee Education Assistance Act of 1980, and for carrying
23 out section 462 of the Homeland Security Act of 2002,
24 section 235 of the William Wilberforce Trafficking Victims
25 Protection Reauthorization Act of 2008, the Trafficking

1 Victims Protection Act of 2000 (“TVPA”), and the Tor-
2 ture Victims Relief Act of 1998, \$4,504,947,000, of which
3 \$4,408,467,000 shall remain available through September
4 30, 2024 for carrying out such sections 414, 501, 462,
5 and 235 and \$30,000,000 shall remain available until ex-
6 pended for the purposes authorized in section 238 of this
7 title: *Provided*, That amounts available under this heading
8 to carry out the TVPA shall also be available for research
9 and evaluation with respect to activities under such Act:
10 *Provided further*, That the contribution of funds require-
11 ment under section 235(c)(6)(C)(iii) of the William Wil-
12 berforce Trafficking Victims Protection Reauthorization
13 Act of 2008 shall not apply to funds made available under
14 this heading.

15 PAYMENTS TO STATES FOR THE CHILD CARE AND
16 DEVELOPMENT BLOCK GRANT

17 For carrying out the Child Care and Development
18 Block Grant Act of 1990 (“CCDBG Act”),
19 \$7,377,000,000 shall be used to supplement, not supplant
20 State general revenue funds for child care assistance for
21 low-income families: *Provided*, That technical assistance
22 under section 658I(a)(3) of such Act may be provided di-
23 rectly, or through the use of contracts, grants, cooperative
24 agreements, or interagency agreements: *Provided further*,
25 That all funds made available to carry out section 418

1 of the Social Security Act (42 U.S.C. 618), including
2 funds appropriated for that purpose in such section 418
3 or any other provision of law, shall be subject to the res-
4 ervation of funds authority in paragraphs (4) and (5) of
5 section 658O(a) of the CCDBG Act: *Provided further*,
6 That in addition to the amounts required to be reserved
7 by the Secretary under section 658O(a)(2)(A) of such Act,
8 \$177,330,000 shall be for Indian tribes and tribal organi-
9 zations.

10 SOCIAL SERVICES BLOCK GRANT

11 For making grants to States pursuant to section
12 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
13 *vided*, That notwithstanding subparagraph (B) of section
14 404(d)(2) of such Act, the applicable percent specified
15 under such subparagraph for a State to carry out State
16 programs pursuant to title XX–A of such Act shall be 10
17 percent.

18 In addition, \$200,000,000 for carrying out a supple-
19 mental grant program to make grants to States to be dis-
20 tributed as provided for under section 2002 of the Social
21 Security Act and subject to the limitations of section 2005
22 of such Act: *Provided*, That funds appropriated in this
23 paragraph are in addition to the entitlement grants au-
24 thorized by section 2002(a)(1) of the Social Security Act
25 and shall not be available for such entitlement grants: *Pro-*

1 *vided further*, That such supplemental grants shall be used
2 by States to make subgrants to social service agencies or
3 other nonprofit organizations to provide diapers and dia-
4 pering supplies (including diaper wipes, diaper cream, and
5 other supplies necessary to ensure that a child using a
6 diaper is properly cleaned and protected from diaper rash)
7 to families in need: *Provided further*, That such supple-
8 mental grants are used by States to supplement, not sup-
9 plant, State general revenue funds provided for such pur-
10 poses: *Provided further*, That the term “in need”, with re-
11 spect to a family, means a family whose self-certified in-
12 come is not more than 200 percent of the Federal poverty
13 line, as defined by the Office of Management and Budget
14 and revised annually in accordance with section 673(2) of
15 the Omnibus Budget Reconciliation Act of 1981 applicable
16 to a family of the size involved: *Provided further*, That not
17 later than December 31, 2022, each subgrantee receiving
18 funding from amounts made available in this paragraph
19 shall submit a report to the applicable State on the use
20 of such funds: *Provided further*, That each State shall in-
21 clude in the annual report required under section 2006
22 of the Social Security Act and submitted with respect to
23 fiscal year 2023 information detailing how grantees and
24 subgrantees used funds made available in this paragraph

1 to distribute diapers and diapering supplies to families in
2 need.

3 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For carrying out, except as otherwise provided, the
5 Runaway and Homeless Youth Act, the Head Start Act,
6 the Every Student Succeeds Act, the Child Abuse Preven-
7 tion and Treatment Act, sections 303 and 313 of the
8 Family Violence Prevention and Services Act, the Native
9 American Programs Act of 1974, title II of the Child
10 Abuse Prevention and Treatment and Adoption Reform
11 Act of 1978 (adoption opportunities), part B–1 of title IV
12 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
13 of the Social Security Act, and the Community Services
14 Block Grant Act (“CSBG Act”); and for necessary admin-
15 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
16 XVI, and XX–A of the Social Security Act, the Act of
17 July 5, 1960, the Low-Income Home Energy Assistance
18 Act of 1981, the Child Care and Development Block Grant
19 Act of 1990, title IV of the Immigration and Nationality
20 Act, section 501 of the Refugee Education Assistance Act
21 of 1980, and section 2204 of the American Rescue Plan
22 Act of 2021, \$15,232,981,000, of which \$75,000,000, to
23 remain available through September 30, 2023, shall be for
24 grants to States for adoption and legal guardianship in-
25 centive payments, as defined by section 473A of the Social

1 Security Act and may be made for adoptions and legal
2 guardianships completed before September 30, 2022: *Pro-*
3 *vided*, That \$12,182,095,000 shall be for making pay-
4 ments under the Head Start Act, including for Early Head
5 Start-Child Care Partnerships, and, of which, notwith-
6 standing section 640 of such Act:

7 (1) \$234,000,000 shall be available for a cost
8 of living adjustment, and with respect to any con-
9 tinuing appropriations act, funding available for a
10 cost of living adjustment shall not be construed as
11 an authority or condition under this Act;

12 (2) \$25,000,000 shall be available for allocation
13 by the Secretary to supplement activities described
14 in paragraphs (7)(B) and (9) of section 641(c) of
15 the Head Start Act under the Designation Renewal
16 System, established under the authority of sections
17 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
18 and such funds shall not be included in the calcula-
19 tion of “base grant” in subsequent fiscal years, as
20 such term is used in section 640(a)(7)(A) of such
21 Act;

22 (3) \$750,000,000, in addition to funds other-
23 wise available for such purposes under section 640
24 of the Head Start Act, shall be available through
25 September 30, 2023, for awards to eligible entities

1 for Head Start and Early Head Start programs and
2 to entities defined as eligible under section 645A(d)
3 of such Act for high quality infant and toddler care
4 through Early Head Start - Child Care Partner-
5 ships, and for training and technical assistance for
6 such activities: *Provided further*, That of the funds
7 made available in this paragraph, up to \$21,000,000
8 shall be available to the Secretary for the adminis-
9 trative costs of carrying out this paragraph;

10 (4) \$250,000,000 shall be available for quality
11 improvement consistent with paragraph (5) of sec-
12 tion 640(a) of such Act, except that any amount of
13 such funds may be used for any of the activities de-
14 scribed in such section (5), of which not less than
15 \$12,500,000 shall be available to migrant and sea-
16 sonal Head Start programs for such activities, in ad-
17 dition to funds made available for migrant and sea-
18 sonal Head Start programs under any other provi-
19 sion of section 640(a) of such Act;

20 (5) \$200,000,000 shall be available through
21 September 30, 2023, of which up to 1 percent may
22 be reserved for research and evaluation, and the re-
23 maining unreserved amount shall be available in ad-
24 dition to funds made available under any other pro-
25 vision of section 640, for award by the Secretary to

1 grantees that apply for supplemental funding to in-
2 crease their hours of program operations and for
3 training and technical assistance for such activities;

4 (6) \$8,000,000 shall be available for the pur-
5 poses of maintaining the Tribal Colleges and Univer-
6 sities Head Start Partnership Program consistent
7 with section 648(g) of such Act; and

8 (7) \$21,000,000 shall be available to supple-
9 ment funding otherwise available for research, eval-
10 uation, and Federal administrative costs:

11 *Provided further*, That the Secretary may reduce the res-
12 ervation of funds under section 640(a)(2)(C) of such Act
13 in lieu of reducing the reservation of funds under sections
14 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
15 Act: *Provided further*, That \$450,000,000 shall be avail-
16 able until December 31, 2022 for carrying out sections
17 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
18 *vided further*, That up to 3 percent of the funds in the
19 preceding proviso shall be available for technical assist-
20 ance and evaluation related to grants awarded under such
21 section 9212: *Provided further*, That \$834,000,000 shall
22 be for making payments under the CSBG Act: *Provided*
23 *further*, That for the purposes of carrying out the CSBG
24 Act, the term “poverty line” as defined in section 673(2)
25 of the CSBG Act means 200 percent of the poverty line

1 otherwise applicable under such section (excluding the last
2 sentence of such section) without regard to such section:
3 *Provided further*, That \$34,000,000 shall be for section
4 680 of the CSBG Act, of which not less than \$23,000,000
5 shall be for section 680(a)(2) and not less than
6 \$11,000,000 shall be for section 680(a)(3)(B) of such Act:
7 *Provided further*, That, notwithstanding section
8 675C(a)(3) of the CSBG Act, to the extent Community
9 Services Block Grant funds are distributed as grant funds
10 by a State to an eligible entity as provided under such
11 Act, and have not been expended by such entity, they shall
12 remain with such entity for carryover into the next fiscal
13 year for expenditure by such entity consistent with pro-
14 gram purposes: *Provided further*, That the Secretary shall
15 establish procedures regarding the disposition of intan-
16 gible assets and program income that permit such assets
17 acquired with, and program income derived from, grant
18 funds authorized under section 680 of the CSBG Act to
19 become the sole property of such grantees after a period
20 of not more than 12 years after the end of the grant pe-
21 riod for any activity consistent with section 680(a)(2)(A)
22 of the CSBG Act: *Provided further*, That intangible assets
23 in the form of loans, equity investments and other debt
24 instruments, and program income may be used by grant-
25 ees for any eligible purpose consistent with section

1 680(a)(2)(A) of the CSBG Act: *Provided further*, That
2 these procedures shall apply to such grant funds made
3 available after November 29, 1999: *Provided further*, That
4 funds appropriated for section 680(a)(2) of the CSBG Act
5 shall be available for financing construction and rehabili-
6 tation and loans or investments in private business enter-
7 prises owned by community development corporations:
8 *Provided further*, That \$449,700,000 shall be for carrying
9 out section 303(a) of the Family Violence Prevention and
10 Services Act, of which \$175,000,000 shall be for providing
11 direct payments to any victim of family violence, domestic
12 violence, or dating violence, or to any dependent of such
13 victim, notwithstanding section 308(d)(1) of such Act:
14 *Provided further*, That \$7,000,000 shall be allocated, not-
15 withstanding section 303(a)(2) of the Family Violence
16 Prevention and Services Act, for carrying out section 309
17 of such Act; and \$6,750,000 shall be for necessary admin-
18 istrative expenses to carry out such Act and section 2204
19 of the American Rescue Plan Act of 2021, in addition to
20 amounts otherwise available for such purposes: *Provided*
21 *further*, That the percentages specified in section
22 112(a)(2) of the Child Abuse Prevention and Treatment
23 Act shall not apply to funds appropriated under this head-
24 ing: *Provided further*, That \$4,000,000 shall be for a
25 human services case management system for federally de-

1 clared disasters, to include a comprehensive national case
2 management contract and Federal costs of administering
3 the system: *Provided further*, That up to \$2,000,000 shall
4 be for improving the Public Assistance Reporting Informa-
5 tion System, including grants to States to support data
6 collection for a study of the system's effectiveness.

7

8 PROMOTING SAFE AND STABLE FAMILIES

9 For carrying out, except as otherwise provided, sec-
10 tion 436 of the Social Security Act, \$345,000,000 and,
11 for carrying out, except as otherwise provided, section 437
12 of such Act, \$106,000,000: *Provided*, That of the funds
13 available to carry out section 437, \$60,000,000 shall be
14 allocated consistent with subsections (b) through (d) of
15 such section: *Provided further*, That of the funds available
16 to carry out section 437, to assist in meeting the require-
17 ments described in section 471(e)(4)(C), \$30,000,000
18 shall be for grants to each State, territory, and Indian
19 tribe operating title IV–E plans for developing, enhancing,
20 or evaluating kinship navigator programs, as described in
21 section 427(a)(1) of such Act and \$9,000,000, in addition
22 to funds otherwise appropriated in section 476 for such
23 purposes, shall be for the Family First Clearinghouse and
24 to support evaluation and technical assistance relating to
25 the evaluation of child and family services: *Provided fur-*

1 *ther*, That of the funds available to carry out section 437,
2 \$7,000,000 shall be for competitive grants to regional
3 partnerships as described in section 437(f), and shall be
4 in addition to any other funds appropriated for such pur-
5 poses: *Provided further*, That section 437(b)(1) shall be
6 applied to amounts in the previous proviso by substituting
7 “5 percent” for “3.3 percent”, and notwithstanding sec-
8 tion 436(b)(1), such reserved amounts may be used for
9 identifying, establishing, and disseminating practices to
10 meet the criteria specified in section 471(e)(4)(C): *Pro-*
11 *vided further*, That the reservation in section 437(b)(2)
12 and the limitations in section 437(d) shall not apply to
13 funds specified in the second proviso under this heading:
14 *Provided further*, That the minimum grant award for kin-
15 ship navigator programs in the case of States and terri-
16 tories shall be \$200,000, and, in the case of tribes, shall
17 be \$25,000.

18 PAYMENTS FOR FOSTER CARE AND PERMANENCY

19 For carrying out, except as otherwise provided, title
20 IV–E of the Social Security Act, \$6,963,000,000.

21 For carrying out, except as otherwise provided, title
22 IV–E of the Social Security Act, for the first quarter of
23 fiscal year 2023, \$3,200,000,000.

24 For carrying out, after May 31 of the current fiscal
25 year, except as otherwise provided, section 474 of title IV–

1 E of the Social Security Act, for the last 3 months of the
2 current fiscal year for unanticipated costs, incurred for the
3 current fiscal year, such sums as may be necessary.

4 ADMINISTRATION FOR COMMUNITY LIVING
5 AGING AND DISABILITY SERVICES PROGRAMS
6 (INCLUDING TRANSFER OF FUNDS)

7 For carrying out, to the extent not otherwise pro-
8 vided, the Older Americans Act of 1965 (“OAA”), the
9 RAISE Family Caregivers Act, the Supporting Grand-
10 parents Raising Grandchildren Act, titles III and XXIX
11 of the PHS Act, sections 1252 and 1253 of the PHS Act,
12 section 119 of the Medicare Improvements for Patients
13 and Providers Act of 2008, title XX–B of the Social Secu-
14 rity Act, the Developmental Disabilities Assistance and
15 Bill of Rights Act, parts 2 and 5 of subtitle D of title
16 II of the Help America Vote Act of 2002, the Assistive
17 Technology Act of 1998, titles II and VII (and section
18 14 with respect to such titles) of the Rehabilitation Act
19 of 1973, and for Department-wide coordination of policy
20 and program activities that assist individuals with disabil-
21 ities, \$3,047,414,000, together with \$57,115,000 to be
22 transferred from the Federal Hospital Insurance Trust
23 Fund and the Federal Supplementary Medical Insurance
24 Trust Fund to carry out section 4360 of the Omnibus
25 Budget Reconciliation Act of 1990: *Provided*, That

1 amounts appropriated under this heading may be used for
2 grants to States under section 361 of the OAA only for
3 disease prevention and health promotion programs and ac-
4 tivities which have been demonstrated through rigorous
5 evaluation to be evidence-based and effective: *Provided*
6 *further*, That of amounts made available under this head-
7 ing to carry out sections 311, 331, and 336 of the OAA,
8 up to one percent of such amounts shall be available for
9 developing and implementing evidence-based practices for
10 enhancing senior nutrition, including medically-tailored
11 meals: *Provided further*, That notwithstanding any other
12 provision of this Act, funds made available under this
13 heading to carry out section 311 of the OAA may be trans-
14 ferred to the Secretary of Agriculture in accordance with
15 such section: *Provided further*, That \$2,000,000 shall be
16 for competitive grants to support alternative financing
17 programs that provide for the purchase of assistive tech-
18 nology devices, such as a low-interest loan fund; an inter-
19 est buy-down program; a revolving loan fund; a loan guar-
20 antee; or an insurance program: *Provided further*, That
21 applicants shall provide an assurance that, and informa-
22 tion describing the manner in which, the alternative fi-
23 nancing program will expand and emphasize consumer
24 choice and control: *Provided further*, That State agencies
25 and community-based disability organizations that are di-

1 rected by and operated for individuals with disabilities
2 shall be eligible to compete: *Provided further*, That none
3 of the funds made available under this heading may be
4 used by an eligible system (as defined in section 102 of
5 the Protection and Advocacy for Individuals with Mental
6 Illness Act (42 U.S.C. 10802)) to continue to pursue any
7 legal action in a Federal or State court on behalf of an
8 individual or group of individuals with a developmental
9 disability (as defined in section 102(8)(A) of the Develop-
10 mental Disabilities and Assistance and Bill of Rights Act
11 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
12 a mental impairment (or a combination of mental and
13 physical impairments), that has as the requested remedy
14 the closure of State operated intermediate care facilities
15 for people with intellectual or developmental disabilities,
16 unless reasonable public notice of the action has been pro-
17 vided to such individuals (or, in the case of mental inca-
18 pacitation, the legal guardians who have been specifically
19 awarded authority by the courts to make healthcare and
20 residential decisions on behalf of such individuals) who are
21 affected by such action, within 90 days of instituting such
22 legal action, which informs such individuals (or such legal
23 guardians) of their legal rights and how to exercise such
24 rights consistent with current Federal Rules of Civil Pro-
25 cedure: *Provided further*, That the limitations in the imme-

1 diately preceding proviso shall not apply in the case of an
2 individual who is neither competent to consent nor has a
3 legal guardian, nor shall the proviso apply in the case of
4 individuals who are a ward of the State or subject to pub-
5 lic guardianship.

6 OFFICE OF THE SECRETARY

7 GENERAL DEPARTMENTAL MANAGEMENT

8 For necessary expenses, not otherwise provided, for
9 general departmental management, including hire of six
10 passenger motor vehicles, and for carrying out titles III,
11 XVII, XXI, and section 229 of the PHS Act, the United
12 States-Mexico Border Health Commission Act, and re-
13 search studies under section 1110 of the Social Security
14 Act, \$582,981,000, together with \$74,828,000 from the
15 amounts available under section 241 of the PHS Act to
16 carry out national health or human services research and
17 evaluation activities: *Provided*, That of this amount,
18 \$58,400,000 shall be for minority AIDS prevention and
19 treatment activities: *Provided further*, That of the funds
20 made available under this heading, \$130,000,000 shall be
21 for making competitive contracts and grants to public and
22 private entities to fund medically accurate and age appro-
23 priate programs that reduce teen pregnancy and for the
24 Federal costs associated with administering and evalu-
25 ating such contracts and grants, of which not more than

1 10 percent of the available funds shall be for training and
2 technical assistance, evaluation, outreach, and additional
3 program support activities, and of the remaining amount
4 75 percent shall be for replicating programs that have
5 been proven effective through rigorous evaluation to re-
6 duce teenage pregnancy, behavioral risk factors underlying
7 teenage pregnancy, or other associated risk factors, and
8 25 percent shall be available for research and demonstra-
9 tion grants to develop, replicate, refine, and test additional
10 models and innovative strategies for preventing teenage
11 pregnancy: *Provided further*, That of the amounts pro-
12 vided under this heading from amounts available under
13 section 241 of the PHS Act, \$6,800,000 shall be available
14 to carry out evaluations (including longitudinal evalua-
15 tions) of teenage pregnancy prevention approaches: *Pro-*
16 *vided further*, That funds provided in this Act for embryo
17 adoption activities may be used to provide to individuals
18 adopting embryos, through grants and other mechanisms,
19 medical and administrative services deemed necessary for
20 such adoptions: *Provided further*, That such services shall
21 be provided consistent with 42 CFR 59.5(a)(4): *Provided*
22 *further*, That of the funds made available under this head-
23 ing, \$5,000,000 shall be for carrying out prize competi-
24 tions sponsored by the Office of the Secretary to accelerate
25 innovation in the prevention, diagnosis, and treatment of

1 kidney diseases (as authorized by section 24 of the Steven-
2 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
3 3719)): *Provided further*, That notwithstanding any other
4 provision of law, the Secretary may use \$7,891,000 of the
5 amounts appropriated under this heading to supplement
6 funds otherwise available to the Secretary for the hire and
7 purchase of electric vehicles and electric vehicle charging
8 stations, and to cover other costs related to electrifying
9 the motor vehicle fleet within HHS: *Provided further*, That
10 electric chargers installed in a parking area with such
11 funds described in the preceding proviso shall be deemed
12 personal property under the control and custody of the
13 Department of Health and Human Services managing
14 such parking area: *Provided further*, That of the funds
15 made available under this heading \$3,000,000 shall be for
16 establishing a National Health Care Workforce Commis-
17 sion (as authorized by section 5101 of Public Law 111–
18 148).

19 MEDICARE HEARINGS AND APPEALS

20 For expenses necessary for Medicare hearings and
21 appeals in the Office of the Secretary, \$196,000,000 shall
22 remain available until September 30, 2023, to be trans-
23 ferred in appropriate part from the Federal Hospital In-
24 surance Trust Fund and the Federal Supplementary Med-
25 ical Insurance Trust Fund.

1 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
2 INFORMATION TECHNOLOGY

3 For expenses necessary for the Office of the National
4 Coordinator for Health Information Technology, including
5 grants, contracts, and cooperative agreements for the de-
6 velopment and advancement of interoperable health infor-
7 mation technology, \$86,614,000 shall be available from
8 amounts available under section 241 of the PHS Act.

9 OFFICE OF INSPECTOR GENERAL

10 For expenses necessary for the Office of Inspector
11 General, including the hire of passenger motor vehicles for
12 investigations, in carrying out the provisions of the Inspec-
13 tor General Act of 1978, \$100,000,000: *Provided*, That
14 of such amount, necessary sums shall be available for pro-
15 viding protective services to the Secretary and inves-
16 tigating non-payment of child support cases for which non-
17 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
18 *vided further*, That, of the amount appropriated under this
19 heading \$5,300,000 shall be available through September
20 30, 2023, for activities authorized under section 3022 of
21 the PHS Act (42 U.S.C. 300jj-52).

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, \$47,931,000.

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

3 For retirement pay and medical benefits of Public
4 Health Service Commissioned Officers as authorized by
5 law, for payments under the Retired Serviceman's Family
6 Protection Plan and Survivor Benefit Plan, and for med-
7 ical care of dependents and retired personnel under the
8 Dependents' Medical Care Act, such amounts as may be
9 required during the current fiscal year.

10 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
11 FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, \$1,508,036,000, of which \$823,380,000 shall remain available through September 30, 2023, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at

1 the discretion of the Secretary, be deposited in the Stra-
2 tegic National Stockpile pursuant to section 319F–2 of
3 the PHS Act: *Provided further*, That \$5,000,000 of the
4 amounts made available to support emergency operations
5 shall remain available through September 30, 2024.

6 For expenses necessary for procuring security coun-
7 termeasures (as defined in section 319F–2(c)(1)(B) of the
8 PHS Act), \$770,000,000, to remain available until ex-
9 pended.

10 For expenses necessary to carry out section 319F–
11 2(a) of the PHS Act, \$905,000,000, to remain available
12 until expended.

13 For an additional amount for expenses necessary to
14 prepare for or respond to an influenza pandemic,
15 \$335,000,000; of which \$300,000,000 shall be available
16 until expended, for activities including the development
17 and purchase of vaccine, antivirals, necessary medical sup-
18 plies, diagnostics, and other surveillance tools: *Provided*,
19 That notwithstanding section 496(b) of the PHS Act,
20 funds may be used for the construction or renovation of
21 privately owned facilities for the production of pandemic
22 influenza vaccines and other biologics, if the Secretary
23 finds such construction or renovation necessary to secure
24 sufficient supplies of such vaccines or biologics.

1 GENERAL PROVISIONS

2 SEC. 201. Funds appropriated in this title shall be
3 available for not to exceed \$50,000 for official reception
4 and representation expenses when specifically approved by
5 the Secretary.

6 SEC. 202. None of the funds appropriated in this title
7 shall be used to pay the salary of an individual, through
8 a grant or other extramural mechanism, at a rate in excess
9 of Executive Level II: *Provided*, That none of the funds
10 appropriated in this title shall be used to prevent the NIH
11 from paying up to 100 percent of the salary of an indi-
12 vidual at this rate.

13 SEC. 203. None of the funds appropriated in this Act
14 may be expended pursuant to section 241 of the PHS Act,
15 except for funds specifically provided for in this Act, or
16 for other taps and assessments made by any office located
17 in HHS, prior to the preparation and submission of a re-
18 port by the Secretary to the Committees on Appropria-
19 tions of the House of Representatives and the Senate de-
20 tailing the planned uses of such funds.

21 SEC. 204. Notwithstanding section 241(a) of the
22 PHS Act, such portion as the Secretary shall determine,
23 but not more than 2.5 percent, of any amounts appro-
24 priated for programs authorized under such Act shall be
25 made available for the evaluation (directly, or by grants

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the effective
20 date of a contract awarded in fiscal year 2022 under sec-
21 tion 338B of such Act, or at any time if the individual
22 who has been awarded such contract has not received
23 funds due under the contract.

24 SEC. 207. None of the funds appropriated in this Act
25 may be made available to any entity under title X of the

1 PHS Act unless the applicant for the award certifies to
2 the Secretary that it encourages family participation in
3 the decision of minors to seek family planning services and
4 that it provides counseling to minors on how to resist at-
5 tempts to coerce minors into engaging in sexual activities.

6 SEC. 208. Notwithstanding any other provision of
7 law, no provider of services under title X of the PHS Act
8 shall be exempt from any State law requiring notification
9 or the reporting of child abuse, child molestation, sexual
10 abuse, rape, or incest.

11 SEC. 209. None of the funds appropriated by this Act
12 (including funds appropriated to any trust fund) may be
13 used to carry out the Medicare Advantage program if the
14 Secretary denies participation in such program to an oth-
15 erwise eligible entity (including a Provider Sponsored Or-
16 ganization) because the entity informs the Secretary that
17 it will not provide, pay for, provide coverage of, or provide
18 referrals for abortions: *Provided*, That the Secretary shall
19 make appropriate prospective adjustments to the capita-
20 tion payment to such an entity (based on an actuarially
21 sound estimate of the expected costs of providing the serv-
22 ice to such entity's enrollees): *Provided further*, That noth-
23 ing in this section shall be construed to change the Medi-
24 care program's coverage for such services and a Medicare
25 Advantage organization described in this section shall be

1 responsible for informing enrollees where to obtain infor-
2 mation about all Medicare covered services.

3 SEC. 210. None of the funds made available in this
4 title may be used, in whole or in part, to advocate or pro-
5 mote gun control.

6 SEC. 211. The Secretary shall make available through
7 assignment not more than 60 employees of the Public
8 Health Service to assist in child survival activities and to
9 work in AIDS programs through and with funds provided
10 by the Agency for International Development, the United
11 Nations International Children's Emergency Fund or the
12 World Health Organization.

13 SEC. 212. In order for HHS to carry out inter-
14 national health activities, including HIV/AIDS and other
15 infectious disease, chronic and environmental disease, and
16 other health activities abroad during fiscal year 2022:

17 (1) The Secretary may exercise authority equiv-
18 alent to that available to the Secretary of State in
19 section 2(c) of the State Department Basic Authori-
20 ties Act of 1956. The Secretary shall consult with
21 the Secretary of State and relevant Chief of Mission
22 to ensure that the authority provided in this section
23 is exercised in a manner consistent with section 207
24 of the Foreign Service Act of 1980 and other appli-

1 cable statutes administered by the Department of
2 State.

3 (2) The Secretary is authorized to provide such
4 funds by advance or reimbursement to the Secretary
5 of State as may be necessary to pay the costs of ac-
6 quisition, lease, alteration, renovation, and manage-
7 ment of facilities outside of the United States for
8 the use of HHS. The Department of State shall co-
9 operate fully with the Secretary to ensure that HHS
10 has secure, safe, functional facilities that comply
11 with applicable regulation governing location, set-
12 back, and other facilities requirements and serve the
13 purposes established by this Act. The Secretary is
14 authorized, in consultation with the Secretary of
15 State, through grant or cooperative agreement, to
16 make available to public or nonprofit private institu-
17 tions or agencies in participating foreign countries,
18 funds to acquire, lease, alter, or renovate facilities in
19 those countries as necessary to conduct programs of
20 assistance for international health activities, includ-
21 ing activities relating to HIV/AIDS and other infec-
22 tious diseases, chronic and environmental diseases,
23 and other health activities abroad.

24 (3) The Secretary is authorized to provide to
25 personnel appointed or assigned by the Secretary to

1 serve abroad, allowances and benefits similar to
2 those provided under chapter 9 of title I of the For-
3 eign Service Act of 1980, and 22 U.S.C. 4081
4 through 4086 and subject to such regulations pre-
5 scribed by the Secretary. The Secretary is further
6 authorized to provide locality-based comparability
7 payments (stated as a percentage) up to the amount
8 of the locality-based comparability payment (stated
9 as a percentage) that would be payable to such per-
10 sonnel under section 5304 of title 5, United States
11 Code if such personnel's official duty station were in
12 the District of Columbia. Leaves of absence for per-
13 sonnel under this subsection shall be on the same
14 basis as that provided under subchapter I of chapter
15 63 of title 5, United States Code, or section 903 of
16 the Foreign Service Act of 1980, to individuals serv-
17 ing in the Foreign Service.

18 (TRANSFER OF FUNDS)

19 SEC. 213. The Director of the NIH, jointly with the
20 Director of the Office of AIDS Research, may transfer up
21 to 3 percent among institutes and centers from the total
22 amounts identified by these two Directors as funding for
23 research pertaining to the human immunodeficiency virus:
24 *Provided*, That the Committees on Appropriations of the

1 House of Representatives and the Senate are notified at
2 least 15 days in advance of any transfer.

3 (TRANSFER OF FUNDS)

4 SEC. 214. Of the amounts made available in this Act
5 for NIH, the amount for research related to the human
6 immunodeficiency virus, as jointly determined by the Di-
7 rector of NIH and the Director of the Office of AIDS Re-
8 search, shall be made available to the “Office of AIDS
9 Research” account. The Director of the Office of AIDS
10 Research shall transfer from such account amounts nec-
11 essary to carry out section 2353(d)(3) of the PHS Act.

12 SEC. 215. (a) AUTHORITY.—Notwithstanding any
13 other provision of law, the Director of NIH (“Director”)
14 may use funds authorized under section 402(b)(12) of the
15 PHS Act to enter into transactions (other than contracts,
16 cooperative agreements, or grants) to carry out research
17 identified pursuant to or research and activities described
18 in such section 402(b)(12).

19 (b) PEER REVIEW.—In entering into transactions
20 under subsection (a), the Director may utilize such peer
21 review procedures (including consultation with appropriate
22 scientific experts) as the Director determines to be appro-
23 priate to obtain assessments of scientific and technical
24 merit. Such procedures shall apply to such transactions
25 in lieu of the peer review and advisory council review pro-

1 cedures that would otherwise be required under sections
2 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
3 and 494 of the PHS Act.

4 SEC. 216. Not to exceed \$45,000,000 of funds appro-
5 priated by this Act to the institutes and centers of the
6 National Institutes of Health may be used for alteration,
7 repair, or improvement of facilities, as necessary for the
8 proper and efficient conduct of the activities authorized
9 herein, at not to exceed \$3,500,000 per project.

10 (TRANSFER OF FUNDS)

11 SEC. 217. Of the amounts made available for NIH,
12 1 percent of the amount made available for National Re-
13 search Service Awards (“NRSA”) shall be made available
14 to the Administrator of the Health Resources and Services
15 Administration to make NRSA awards for research in pri-
16 mary medical care to individuals affiliated with entities
17 who have received grants or contracts under sections 736,
18 739, or 747 of the PHS Act, and 1 percent of the amount
19 made available for NRSA shall be made available to the
20 Director of the Agency for Healthcare Research and Qual-
21 ity to make NRSA awards for health service research.

22 SEC. 218. (a) The Biomedical Advanced Research
23 and Development Authority (“BARDA”) may enter into
24 a contract, for more than one but no more than 10 pro-
25 gram years, for purchase of research services or of security

1 countermeasures, as that term is defined in section 319F–
2 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
3 if—

4 (1) funds are available and obligated—

5 (A) for the full period of the contract or
6 for the first fiscal year in which the contract is
7 in effect; and

8 (B) for the estimated costs associated with
9 a necessary termination of the contract; and

10 (2) the Secretary determines that a multi-year
11 contract will serve the best interests of the Federal
12 Government by encouraging full and open competi-
13 tion or promoting economy in administration, per-
14 formance, and operation of BARDA’s programs.

15 (b) A contract entered into under this section—

16 (1) shall include a termination clause as de-
17 scribed by subsection (c) of section 3903 of title 41,
18 United States Code; and

19 (2) shall be subject to the congressional notice
20 requirement stated in subsection (d) of such section.

21 SEC. 219. The Secretary shall publish, as part of the
22 fiscal year 2023 budget of the President submitted under
23 section 1105(a) of title 31, United States Code, informa-
24 tion that details the uses of all funds used by the Centers
25 for Medicare & Medicaid Services specifically for Health

1 Insurance Exchanges for each fiscal year since the enact-
2 ment of the ACA and the proposed uses for such funds
3 for fiscal year 2023. Such information shall include, for
4 each such fiscal year, the amount of funds used for each
5 activity specified under the heading “Health Insurance
6 Exchange Transparency” in the report accompanying this
7 Act.

8 SEC. 220. None of the funds made available by this
9 Act from the Federal Hospital Insurance Trust Fund or
10 the Federal Supplemental Medical Insurance Trust Fund,
11 or transferred from other accounts funded by this Act to
12 the “Centers for Medicare & Medicaid Services—Program
13 Management” account, may be used for payments under
14 section 1342(b)(1) of Public Law 111–148 (relating to
15 risk corridors).

(TRANSFER OF FUNDS)

SEC. 221. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under the heading “Prevention and Public Health Fund” in the report accompanying this Act.

(b) Notwithstanding section 4002(c) of the ACA, the Secretary may not further transfer these amounts.

1 (c) Funds transferred for activities authorized under
2 section 2821 of the PHS Act shall be made available with-
3 out reference to section 2821(b) of such Act.

4 SEC. 222. Effective during the period beginning on
5 November 1, 2015 and ending January 1, 2024, any pro-
6 vision of law that refers (including through cross-reference
7 to another provision of law) to the current recommenda-
8 tions of the United States Preventive Services Task Force
9 with respect to breast cancer screening, mammography,
10 and prevention shall be administered by the Secretary in-
11 volved as if—

12 (1) such reference to such current recommenda-
13 tions were a reference to the recommendations of
14 such Task Force with respect to breast cancer
15 screening, mammography, and prevention last issued
16 before 2009; and

17 (2) such recommendations last issued before
18 2009 applied to any screening mammography modal-
19 ity under section 1861(jj) of the Social Security Act
20 (42 U.S.C. 1395x(jj)).

21 SEC. 223. In making Federal financial assistance, the
22 provisions relating to indirect costs in part 75 of title 45,
23 Code of Federal Regulations, including with respect to the
24 approval of deviations from negotiated rates, shall con-
25 tinue to apply to the National Institutes of Health to the

1 same extent and in the same manner as such provisions
2 were applied in the third quarter of fiscal year 2017. None
3 of the funds appropriated in this or prior Acts or otherwise
4 made available to the Department of Health and Human
5 Services or to any department or agency may be used to
6 develop or implement a modified approach to such provi-
7 sions, or to intentionally or substantially expand the fiscal
8 effect of the approval of such deviations from negotiated
9 rates beyond the proportional effect of such approvals in
10 such quarter.

11 (TRANSFER OF FUNDS)

12 SEC. 224. The NIH Director may transfer funds for
13 opioid addiction, opioid alternatives, stimulant misuse and
14 addiction, pain management, and addiction treatment to
15 other Institutes and Centers of the NIH to be used for
16 the same purpose 15 days after notifying the Committees
17 on Appropriations of the House of Representatives and the
18 Senate: *Provided*, That the transfer authority provided in
19 the previous proviso is in addition to any other transfer
20 authority provided by law.

21 SEC. 225. (a) The Secretary shall provide to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate:

24 (1) Detailed monthly enrollment figures from
25 the Exchanges established under the Patient Protec-

1 tion and Affordable Care Act of 2010 pertaining to
2 enrollments during the open enrollment period; and

3 (2) Notification of any new or competitive grant
4 awards, including supplements, authorized under
5 section 330 of the Public Health Service Act.

6 (b) The Committees on Appropriations of the House
7 and Senate must be notified at least 2 business days in
8 advance of any public release of enrollment information
9 or the award of such grants.

10 SEC. 226. The Department of Health and Human
11 Services shall provide the Committees on Appropriations
12 of the House of Representatives and Senate a biannual
13 report 30 days after enactment of this Act on staffing de-
14 scribed in the report accompanying this Act.

15 SEC. 227. Funds appropriated in this Act that are
16 available for salaries and expenses of employees of the De-
17 partment of Health and Human Services shall also be
18 available to pay travel and related expenses of such an
19 employee or of a member of his or her family, when such
20 employee is assigned to duty, in the United States or in
21 a U.S. territory, during a period and in a location that
22 are the subject of a determination of a public health emer-
23 gency under section 319 of the Public Health Service Act
24 and such travel is necessary to obtain medical care for
25 an illness, injury, or medical condition that cannot be ade-

1 quately addressed in that location at that time. For pur-
2 poses of this section, the term “U.S. territory” means
3 Guam, the Commonwealth of Puerto Rico, the Northern
4 Mariana Islands, the Virgin Islands, American Samoa, or
5 the Trust Territory of the Pacific Islands.

6 SEC. 228. The Department of Health and Human
7 Services may accept donations from the private sector,
8 nongovernmental organizations, and other groups inde-
9 pendent of the Federal Government for the care of unac-
10 companied alien children (as defined in section 462(g)(2)
11 of the Homeland Security Act of 2002 (6 U.S.C.
12 279(g)(2))) in the care of the Office of Refugee Resettle-
13 ment of the Administration for Children and Families, in-
14 cluding monetary donations, medical goods and services,
15 which may include early childhood developmental
16 screenings, school supplies, toys, clothing, and any other
17 items and services intended to promote the wellbeing of
18 such children. Monetary donations received by the Depart-
19 ment of Health and Human Services under this section
20 shall be retained and credited to the Refugee and Entrant
21 Assistance account and shall remain available until ex-
22 pended for the purposes provided by this section.

23 SEC. 229. None of the funds made available in this
24 Act under the heading “Department of Health and
25 Human Services—Administration for Children and Fami-

1 lies—Refugee and Entrant Assistance” may be obligated
2 to a grantee or contractor to house unaccompanied alien
3 children (as such term is defined in section 462(g)(2) of
4 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
5 in any facility that is not State-licensed for the care of
6 unaccompanied alien children, except in the case that the
7 Secretary determines that housing unaccompanied alien
8 children in such a facility is necessary on a temporary
9 basis due to an influx of such children or an emergency,
10 provided that—

11 (1) the terms of the grant or contract for the
12 operations of any such facility that remains in oper-
13 ation for more than three consecutive months shall
14 require compliance with—

15 (A) the same requirements as licensed
16 placements, as listed in Exhibit 1 of the Flores
17 Settlement Agreement that the Secretary deter-
18 mines are applicable to non-State licensed facili-
19 ties; and

20 (B) staffing ratios of one (1) on-duty
21 Youth Care Worker for every eight (8) children
22 or youth during waking hours, one (1) on-duty
23 Youth Care Worker for every sixteen (16) chil-
24 dren or youth during sleeping hours, and clini-
25 cian ratios to children (including mental health

1 providers) as required in grantee cooperative
2 agreements;

3 (2) the Secretary may grant a 60-day waiver
4 for a contractor's or grantee's non-compliance with
5 paragraph (1) if the Secretary certifies and provides
6 a report to Congress on the contractor's or grantee's
7 good-faith efforts and progress towards compliance;

8 (3) if the Secretary determines that a con-
9 tractor or grantee is not in compliance after the Sec-
10 retary has granted a 60-day waiver, the Secretary
11 shall not permit such contractor or grantee to con-
12 tinue to provide services beyond a reasonable period,
13 not to exceed 60 days, needed to award a contract
14 or grant to a new service provider, and the incum-
15 bent contractor or grantee shall not be eligible to
16 compete for the new contact or grant;

17 (4) ORR shall ensure full adherence to the
18 monitoring requirements set forth in section 5.5 of
19 its Policies and Procedures Guide as of May 15,
20 2019;

21 (5) for any such unlicensed facility in operation
22 for more than three consecutive months, ORR shall
23 conduct a minimum of one comprehensive moni-
24 toring visit during the first three months of oper-

1 ation, with quarterly monitoring visits thereafter;
2 and

3 (6) not later than 60 days after the date of en-
4 actment of this Act, ORR shall brief the Committees
5 on Appropriations of the House of Representatives
6 and the Senate outlining the requirements of ORR
7 for influx facilities including any requirement listed
8 in paragraph (1)(A) that the Secretary has deter-
9 mined are not applicable to non-State licensed facili-
10 ties.

11 SEC. 230. In addition to the existing Congressional
12 notification for formal site assessments of potential influx
13 facilities, the Secretary shall notify the Committees on Ap-
14 propriations of the House of Representatives and the Sen-
15 ate at least 15 days before operationalizing an unlicensed
16 facility, and shall (1) specify whether the facility is hard-
17 sided or soft-sided, and (2) provide analysis that indicates
18 that, in the absence of the influx facility, the likely out-
19 come is that unaccompanied alien children will remain in
20 the custody of the Department of Homeland Security for
21 longer than 72 hours or that unaccompanied alien children
22 will be otherwise placed in danger. Within 60 days of
23 bringing such a facility online, and monthly thereafter, the
24 Secretary shall provide to the Committees on Appropria-
25 tions of the House of Representatives and the Senate a

1 report detailing the total number of children in care at
2 the facility, the average length of stay and average length
3 of care of children at the facility, and, for any child that
4 has been at the facility for more than 60 days, their length
5 of stay and reason for delay in release.

6 SEC. 231. None of the funds made available in this
7 Act may be used to prevent a United States Senator or
8 Member of the House of Representatives from entering,
9 for the purpose of conducting oversight, any facility in the
10 United States used for the purpose of maintaining custody
11 of, or otherwise housing, unaccompanied alien children (as
12 defined in section 462(g)(2) of the Homeland Security Act
13 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
14 shall be construed to require such a Senator or Member
15 to provide prior notice of the intent to enter such a facility
16 for such purpose.

17 SEC. 232. Not later than 14 days after the date of
18 enactment of this Act, and monthly thereafter, the Sec-
19 retary shall submit to the Committees on Appropriations
20 of the House of Representatives and the Senate, and make
21 publicly available online, a report with respect to children
22 who were separated from their parents or legal guardians
23 by the Department of Homeland Security (DHS) (regard-
24 less of whether or not such separation was pursuant to
25 an option selected by the children, parents, or guardians),

1 subsequently classified as unaccompanied alien children,
2 and transferred to the care and custody of ORR during
3 the previous month. Each report shall contain the fol-
4 lowing information:

5 (1) the number and ages of children so sepa-
6 rated subsequent to apprehension at or between
7 ports of entry, to be reported by sector where sepa-
8 ration occurred; and

9 (2) the documented cause of separation, as re-
10 ported by DHS when each child was referred.

11 SEC. 233. (a) None of the funds made available by
12 this Act may be used to share any information pertaining
13 to an unaccompanied alien child (as defined in section
14 462(g)(2) of the Homeland Security Act of 2002 (6
15 U.S.C. 279(g)(2))) for use or reference in any removal
16 proceeding or otherwise for enforcement of the immigra-
17 tion laws (as defined in section 101(a)(17) of the Immi-
18 gration and Nationality Act (8 U.S.C. 1101(a)(17))).

19 (b) Subsection (a) shall be construed to preclude the
20 transmission of information described in such subsection
21 to any individual, entity, or government agency with the
22 knowledge or intent that the information would be re-
23 transmitted or otherwise shared for a purpose prohibited
24 under such subsection.

1 (c) All records for which Office of Refugee Resettle-
2 ment policies require the written release authorization of
3 the Office of Refugee Resettlement shall have the pre-
4 sumption of confidentiality and nondisclosure, including
5 unaccompanied alien child case files, specific information
6 contained in such case files, all information given to a case
7 manager, therapist, clinical worker, counselor, or social
8 worker by such a child during clinical or therapeutic work,
9 and other confidential information pertaining to such chil-
10 dren, their sponsors, or their potential sponsors.

11 (d) Nothing in this section shall be construed to pro-
12 hibit or restrict the continued implementation of inter-
13 agency agreements or coordination under section 235 of
14 the William Wilberforce Trafficking Victims Protection
15 Reauthorization Act of 2008 (8 U.S.C. 1232) pertinent
16 to a child's placement after attaining 18 years of age.

17 SEC. 234. To the extent practicable, and so long as
18 it is appropriate and in the best interest of the child, in
19 cases where the Office of Refugee Resettlement is respon-
20 sible for the care of siblings who are unaccompanied alien
21 children as defined in section 462(g)(2) of the Homeland
22 Security Act of 2002 (6. U.S.C. 279(g)(2)), the Director
23 of the Office shall place the siblings—

24 (1) in the same facility; or

25 (2) with the same sponsor.

1 SEC. 235. Not later than 30 days after the date of
2 enactment of this Act, the Secretary shall submit to the
3 Committees on Appropriations of the House of Represent-
4 atives and the Senate a detailed spend plan of anticipated
5 uses of all funds made available under the heading “De-
6 partment of Health and Human Services—Administration
7 for Children and Families—Refugee and Entrant Assist-
8 ance”, including the following: a list of existing grants and
9 contracts for both permanent and influx facilities, includ-
10 ing their costs, capacity, and timelines; costs for expand-
11 ing capacity through the use of community-based residen-
12 tial care placements (including long-term and transitional
13 foster care and small group homes) through new or modi-
14 fied grants and contracts; current and planned efforts to
15 expand small-scale shelters and available foster care place-
16 ments, including collaboration with State child welfare
17 providers; influx facilities being assessed for possible use;
18 costs and services to be provided for legal services, child
19 advocates, and post-release services; program administra-
20 tion; and the average number of weekly referrals and dis-
21 charge rate assumed in the spend plan: *Provided*, That
22 such plan shall be updated to reflect changes and expendi-
23 tures and submitted to the Committees on Appropriations
24 of the House of Representatives and the Senate every 60
25 days until all funds are expended or expired.

SEC. 236. Funds appropriated in this Act that are available for salaries and expenses of employees of the Centers for Disease Control and Prevention shall also be available for the primary and secondary schooling of eligible dependents of personnel stationed in a U.S. territory as defined in section 227 of this Act at costs not in excess of those paid for or reimbursed by the Department of Defense.

9 (RESCISSION)

10 SEC. 237. Of the unobligated balances in the “Non-
11 recurring Expenses Fund” established in section 223 of
12 division G of Public Law 110–161, \$500,000,000 are
13 hereby rescinded not later than September 30, 2022.

SEC. 238. The Secretary is authorized to provide, from funds made available in this title for such purposes, mental health and other supportive services, including through grants, contracts, or cooperative agreements, for children, parents, and legal guardians who were separated at the United States-Mexico border between January 20, 2017, and January 20, 2021, in connection with the Zero-Tolerance Policy (as discussed in the Attorney General’s memorandum of April 6, 2018, entitled “Zero-Tolerance for Offenses Under 8 U.S.C. 1325(a)”) or any other United States Government practice, policy, program, or initiative that resulted in the separation of children who

1 arrived at the United States-Mexico border with their par-
2 ents or legal guardians during such period. The Secretary
3 may identify the individuals eligible to receive such mental
4 health and other supportive services under this section
5 through reference to the identified members of the classes,
6 and their minor children, in the class-action lawsuits *Ms.*
7 *J.P. v. Barr* and *Ms. L. v. ICE*.

8 SEC. 239. The unobligated balances of amounts ap-
9 propriated or transferred to the Centers for Disease Con-
10 trol and Prevention under the heading “Buildings and Fa-
11 cilities” in title II of division H of the Consolidated Appro-
12 priations Act, 2018 (Public Law 115–141) for a biosafety
13 level 4 laboratory shall also be available for the acquisition
14 of real property, equipment, construction, demolition, ren-
15 ovation of facilities, and installation expenses, including
16 moving expenses, related to such laboratory: *Provided,*
17 That not later than September 30, 2022, the remaining
18 unobligated balances of such funds are hereby rescinded,
19 and an amount of additional new budget authority equiva-
20 lent to the amount rescinded is hereby appropriated, to
21 remain available until expended, for the same purposes as
22 such unobligated balances, in addition to any other
23 amounts available for such purposes.

24 SEC. 240. (a) PREMIUM PAY AUTHORITY.—If serv-
25 ices performed by a Department of Health and Human

1 Services employee during a public health emergency de-
2 clared under section 319 of the Public Health Service Act
3 are determined by the Secretary to be primarily related
4 to preparation for, prevention of, or response to such pub-
5 lic health emergency, any premium pay that is provided
6 for such services shall be exempted from the aggregate of
7 basic pay and premium pay calculated under section
8 5547(a) of title 5, United States Code, and any other pro-
9 vision of law limiting the aggregate amount of premium
10 pay payable on a biweekly or calendar year basis.

11 (b) OVERTIME AUTHORITY.—Any overtime that is
12 provided for such services described in subsection (a) shall
13 be exempted from any annual limit on the amount of over-
14 time payable in a calendar or fiscal year.

15 (c) APPLICABILITY OF AGGREGATE LIMITATION ON
16 PAY.—In determining, for purposes of section 5307 of
17 title 5, United States Code, whether an employee's total
18 pay exceeds the annual rate payable under such section,
19 the Secretary shall not include pay exempted under this
20 section.

21 (d) LIMITATION ON PAY AUTHORITY.—Pay exempted
22 from otherwise applicable limits under subsection (a) shall
23 not cause the aggregate pay earned for the calendar year
24 in which the exempted pay is earned to exceed the rate
25 of basic pay payable for a position at level II of the Execu-

1 tive Schedule under section 5313 of title 5, United States
2 Code.

3 (e) DANGER PAY FOR SERVICE IN PUBLIC HEALTH
4 EMERGENCIES.—The Secretary may grant a danger pay
5 allowance under section 5928 of title 5, United States
6 Code, without regard to the conditions of the first sentence
7 of such section, for work that is performed by a Depart-
8 ment of Health and Human Services employee during a
9 public health emergency declared under section 319 of the
10 Public Health Service Act that the Secretary determines
11 is primarily related to preparation for, prevention of, or
12 response to such public health emergency and is performed
13 under conditions that threaten physical harm or imminent
14 danger to the health or well-being of the employee.

15 (f) EFFECTIVE DATE.—This section shall take effect
16 as if enacted on September 30, 2020.

17 SEC. 241. (a) None of the funds made available by
18 this Act may be awarded to any organization, including
19 under the Child Welfare or Federal Foster Care programs
20 under parts B or E of title IV of the Social Security Act,
21 that does not comply with paragraphs (c) and (d) of sec-
22 tion 75.300 of title 45, Code of Federal Regulations (pro-
23 hibiting discrimination on the basis of age, disability, sex,
24 race, color, national origin, religion, gender identity, or
25 sexual orientation), as in effect on October 1, 2019.

1 (b) None of the funds made available by this Act may
2 be used by the Department of Health and Human Services
3 to grant an exception from either such paragraph for any
4 Federal grantee.

5 SEC. 242. During this fiscal year, an Operating or
6 Staff Division in HHS may enter into a reimbursable
7 agreement with another major organizational unit within
8 HHS or of another agency under which the ordering agen-
9 cy or unit delegates to the servicing agency or unit the
10 authority and funding to issue a grant or cooperative
11 agreement on its behalf: *Provided*, That the head of the
12 ordering agency or unit certifies that amounts are avail-
13 able and that the order is in the best interests of the
14 United States Government: *Provided further*, That fund-
15 ing may be provided by way of advance or reimbursement,
16 as deemed appropriate by the ordering agency or unit,
17 with proper adjustments of estimated amounts provided
18 in advance to be made based on actual costs: *Provided fur-*
19 *ther*, That an agreement made under this section obligates
20 an appropriation of the ordering agency or unit, including
21 for costs to administer such grant or cooperative agree-
22 ment, and such obligation shall be deemed to be an obliga-
23 tion for any purpose of law: *Provided further*, That an
24 agreement made under this section may be performed for
25 a period that extends beyond the current fiscal year.

1 SEC. 243. (a) None of the funds made available by
2 this Act may be used to prepare or issue any solicitation
3 for a contract for the CMS Contact Center Operations
4 that contemplates a total period of performance, including
5 option periods, that exceeds 24 months.

6 (b) None of the funds made available by this Act may
7 be used to award or fund a contract for the CMS Contact
8 Center Operations with a total period of performance, in-
9 cluding option periods, that exceeds 24 months.

10 SEC. 244. For fiscal year 2022, the notification re-
11 quirements described in sections 1804(a) and 1851(d) of
12 the Social Security Act may be fulfilled by the Secretary
13 in a manner similar to that described in paragraphs (1)
14 and (2) of section 1806(c) of such Act.

15 SEC. 245. Section 402A(d) of the Public Health Serv-
16 ice Act (42 U.S.C. 282a(d)) is amended—

17 (1) in the first sentence by striking “under sub-
18 section (a)(1)” and inserting “to carry out this
19 title”; and

20 (2) in the second sentence by striking “account
21 under subsection (a)(1)”.

22 SEC. 246. The Secretary of Health and Human Serv-
23 ices may waive penalties and administrative requirements
24 in title XXVI of the Public Health Service Act for awards
25 under such title from amounts provided under the heading

1 “Department of Health and Human Services—Health Re-
2 sources and Services Administration” in this or any other
3 appropriations Act for this fiscal year, including amounts
4 made available to such heading by transfer.

5 SEC. 247. The Director of the National Institutes of
6 Health shall hereafter require institutions that receive
7 funds through a grant or cooperative agreement during
8 fiscal year 2022 and in future years to notify the Director
9 when individuals identified as a principal investigator or
10 as key personnel in an NIH notice of award are removed
11 from their position or are otherwise disciplined due to con-
12 cerns about harassment, bullying, retaliation, or hostile
13 working conditions. The Director may issue regulations
14 consistent with this section.

15 SEC. 248. (a) Funds made available in Public Law
16 114–113 to the accounts of the National Institutes of
17 Health that were available for obligation through fiscal
18 year 2016 and were obligated for multi-year research
19 grants shall be available through fiscal year 2022 for the
20 liquidation of valid obligations incurred in fiscal year 2016
21 if the Director of the National Institutes of Health deter-
22 mines the project suffered an interruption of activities at-
23 tributable to SARS–CoV–2.

24 (b)(1) Subject to paragraph (2), this section shall be-
25 come effective immediately upon enactment of this Act.

1 (2) If this Act is enacted after September 30,
2 2021, this section shall be applied as if it were in
3 effect on September 30, 2021.

4 This title may be cited as the “Department of Health
5 and Human Services Appropriations Act, 2022”.

6 TITLE III

7 DEPARTMENT OF EDUCATION

8 EDUCATION FOR THE DISADVANTAGED

9 For carrying out title I and subpart 2 of part B of
10 title II of the Elementary and Secondary Education Act
11 of 1965 (referred to in this Act as “ESEA”) and section
12 418A of the Higher Education Act of 1965 (referred to
13 in this Act as “HEA”), \$36,756,790,000, of which
14 \$25,813,490,000 shall become available on July 1, 2022,
15 and shall remain available through September 30, 2023,
16 and of which \$10,841,177,000 shall become available on
17 October 1, 2022, and shall remain available through Sep-
18 tember 30, 2023, for academic year 2022–2023: *Provided*,
19 That \$6,459,401,000 shall be for basic grants under sec-
20 tion 1124 of the ESEA: *Provided further*, That up to
21 \$5,000,000 of these funds shall be available to the Sec-
22 retary of Education (referred to in this title as “Sec-
23 retary”) on October 1, 2021, to obtain annually updated
24 local educational agency-level census poverty data from
25 the Bureau of the Census: *Provided further*, That

1 \$1,362,301,000 shall be for concentration grants under
2 section 1124A of the ESEA: *Provided further*, That
3 \$14,107,550,000 shall be for targeted grants under sec-
4 tion 1125 of the ESEA: *Provided further*, That
5 \$14,107,550,000 shall be for education finance incentive
6 grants under section 1125A of the ESEA: *Provided fur-*
7 *ther*, That \$223,000,000 shall be for carrying out subpart
8 2 of part B of title II: *Provided further*, That \$66,123,000
9 shall be for carrying out section 418A of the HEA.

10 IMPACT AID

11 For carrying out programs of financial assistance to
12 federally affected schools authorized by title VII of the
13 ESEA, \$1,552,112,000, of which \$1,404,242,000 shall be
14 for basic support payments under section 7003(b),
15 \$48,316,000 shall be for payments for children with dis-
16 abilities under section 7003(d), \$17,406,000 shall be for
17 construction under section 7007(a), \$77,313,000 shall be
18 for Federal property payments under section 7002, and
19 \$4,835,000, to remain available until expended, shall be
20 for facilities maintenance under section 7008: *Provided*,
21 That for purposes of computing the amount of a payment
22 for an eligible local educational agency under section
23 7003(a) for school year 2021–2022, children enrolled in
24 a school of such agency that would otherwise be eligible
25 for payment under section 7003(a)(1)(B) of such Act, but

1 due to the deployment of both parents or legal guardians,
2 or a parent or legal guardian having sole custody of such
3 children, or due to the death of a military parent or legal
4 guardian while on active duty (so long as such children
5 reside on Federal property as described in section
6 7003(a)(1)(B)), are no longer eligible under such section,
7 shall be considered as eligible students under such section,
8 provided such students remain in average daily attendance
9 at a school in the same local educational agency they at-
10 tended prior to their change in eligibility status.

11 SCHOOL IMPROVEMENT PROGRAMS

12 For carrying out school improvement activities au-
13 thorized by part B of title I, part A of title II, subpart
14 1 of part A of title IV, part B of title IV, part B of title
15 V, and parts B and C of title VI of the ESEA; the McKin-
16 ney-Vento Homeless Assistance Act; section 203 of the
17 Educational Technical Assistance Act of 2002; the Com-
18 pact of Free Association Amendments Act of 2003; and
19 the Civil Rights Act of 1964, \$5,803,539,000, of which
20 \$3,963,652,000 shall become available on July 1, 2022,
21 and remain available through September 30, 2023, and
22 of which \$1,681,441,000 shall become available on Octo-
23 ber 1, 2022, and shall remain available through September
24 30, 2023, for academic year 2022–2023: *Provided*, That
25 \$378,000,000 shall be for part B of title I: *Provided fur-*

1 *ther*, That \$1,359,673,000 shall be for part B of title IV:
2 *Provided further*, That \$40,397,000 shall be for part B
3 of title VI, which may be used for construction, renova-
4 tion, and modernization of any public elementary school,
5 secondary school, or structure related to a public elemen-
6 tary school or secondary school that serves a predomi-
7 nantly Native Hawaiian student body, and that the 5 per-
8 cent limitation in section 6205(b) of the ESEA on the use
9 of funds for administrative purposes shall apply only to
10 direct administrative costs: *Provided further*, That
11 \$36,453,000 shall be for part C of title VI, which shall
12 be awarded on a competitive basis, and may be used for
13 construction, and that the 5 percent limitation in section
14 6305 of the ESEA on the use of funds for administrative
15 purposes shall apply only to direct administrative costs:
16 *Provided further*, That \$52,000,000 shall be available to
17 carry out section 203 of the Educational Technical Assist-
18 ance Act of 2002 and the Secretary shall make such ar-
19 rangements as determined to be necessary to ensure that
20 the Bureau of Indian Education has access to services pro-
21 vided under this section: *Provided further*, That
22 \$23,021,000 shall be available to carry out the Supple-
23 mental Education Grants program for the Federated
24 States of Micronesia and the Republic of the Marshall Is-
25 lands: *Provided further*, That the Secretary may reserve

1 up to 5 percent of the amount referred to in the previous
2 proviso to provide technical assistance in the implementa-
3 tion of these grants: *Provided further*, That \$192,840,000
4 shall be for part B of title V: *Provided further*, That
5 \$1,305,000,000 shall be available for grants under sub-
6 part 1 of part A of title IV.

7 INDIAN EDUCATION

8 For expenses necessary to carry out, to the extent
9 not otherwise provided, title VI, part A of the ESEA,
10 \$187,739,000, of which \$67,993,000 shall be for subpart
11 2 of part A of title VI and \$9,365,000 shall be for subpart
12 3 of part A of title VI: *Provided*, That the 5 percent limita-
13 tion in sections 6115(d), 6121(e), and 6133(g) of the
14 ESEA on the use of funds for administrative purposes
15 shall apply only to direct administrative costs: *Provided*
16 *further*, That the Secretary may make awards under sub-
17 part 3 of Part A of title VI without regard to the funding
18 limitation in section 6133(b)(1) of the ESEA: *Provided*
19 *further*, That notwithstanding sections 6132(c)(2) and
20 6133(d)(1) of such Act, the Secretary may make such
21 awards for a period of up to 5 years.

22 INNOVATION AND IMPROVEMENT

23 For carrying out activities authorized by subparts 1,
24 3 and 4 of part B of title II, and parts C, D, and E and
25 subparts 1 and 4 of part F of title IV of the ESEA,

1 \$1,297,276,000: *Provided*, That \$300,500,000 shall be for
2 subparts 1, 3 and 4 of part B of title II and shall be made
3 available without regard to sections 2201, 2231(b) and
4 2241: *Provided further*, That \$642,776,000 shall be for
5 parts C, D, and E and subpart 4 of part F of title IV,
6 and shall be made available without regard to sections
7 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
8 That notwithstanding section 4601(b), \$254,000,000 shall
9 be available through December 31, 2022 for subpart 1 of
10 part F of title IV: *Provided further*, That \$100,000,000
11 shall be for competitive grants to local educational agen-
12 cies and State educational agencies to reduce racial and
13 socioeconomic segregation across and within school dis-
14 tricts.

15 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

16 For carrying out activities authorized by subparts 2
17 and 3 of part F of title IV of the ESEA, \$1,666,000,000:
18 *Provided*, That \$1,127,000,000 shall be available for sec-
19 tion 4631, of which \$500,000,000 shall be for Mental
20 Health Services Professional Demonstration Grants;
21 \$500,000,000 shall be for School-Based Mental Health
22 Services Grants; and up to \$5,000,000, to remain avail-
23 able until expended, shall be for the Project School Emer-
24 gency Response to Violence (Project SERV) program:
25 *Provided further*, That \$443,000,000 shall be available for

1 section 4625: *Provided further*, That \$96,000,000 shall be
2 available through December 31, 2022, for section 4624:
3 *Provided further*, That \$5,000,000 of the funds made
4 available in the preceding proviso shall be available for
5 planning grants consistent with section 4624(d)(1) of the
6 ESEA, which shall include as a required activity the needs
7 analysis specified in section 4624(a)(4).

8 ENGLISH LANGUAGE ACQUISITION

9 For carrying out part A of title III of the ESEA,
10 \$1,000,000,000, which shall become available on July 1,
11 2022, and shall remain available through September 30,
12 2023, except that 6.5 percent of such amount shall be
13 available on October 1, 2021, and shall remain available
14 through September 30, 2023, to carry out activities under
15 section 3111(c)(1)(C).

16 SPECIAL EDUCATION

17 For carrying out the Individuals with Disabilities
18 Education Act (IDEA) and the Special Olympics Sport
19 and Empowerment Act of 2004, \$17,200,256,000, of
20 which \$7,488,516,000 shall become available on July 1,
21 2022, and shall remain available through September 30,
22 2023, and of which \$9,283,383,000 shall become available
23 on October 1, 2022, and shall remain available through
24 September 30, 2023, for academic year 2022–2023: *Pro-*
25 *vided*, That the amount for section 611(b)(2) of the IDEA

1 shall be equal to the lesser of the amount available for
2 that activity during fiscal year 2021, increased by the
3 amount of inflation as specified in section 619(d)(2)(B)
4 of the IDEA, or the percent change in the funds appro-
5 priated under section 611(i) of the IDEA, but not less
6 than the amount for that activity during fiscal year 2021:
7 *Provided further*, That the Secretary shall, without regard
8 to section 611(d) of the IDEA, distribute to all other
9 States (as that term is defined in section 611(g)(2)), sub-
10 ject to the third proviso, any amount by which a State's
11 allocation under section 611, from funds appropriated
12 under this heading, is reduced under section
13 612(a)(18)(B), according to the following: 85 percent on
14 the basis of the States' relative populations of children
15 aged 3 through 21 who are of the same age as children
16 with disabilities for whom the State ensures the avail-
17 ability of a free appropriate public education under this
18 part, and 15 percent to States on the basis of the States'
19 relative populations of those children who are living in pov-
20 erty: *Provided further*, That the Secretary may not dis-
21 tribute any funds under the previous proviso to any State
22 whose reduction in allocation from funds appropriated
23 under this heading made funds available for such a dis-
24 tribution: *Provided further*, That the States shall allocate
25 such funds distributed under the second proviso to local

1 educational agencies in accordance with section 611(f):
2 *Provided further*, That the amount by which a State's allo-
3 cation under section 611(d) of the IDEA is reduced under
4 section 612(a)(18)(B) and the amounts distributed to
5 States under the previous provisos in fiscal year 2012 or
6 any subsequent year shall not be considered in calculating
7 the awards under section 611(d) for fiscal year 2013 or
8 for any subsequent fiscal years: *Provided further*, That,
9 notwithstanding the provision in section 612(a)(18)(B) re-
10 garding the fiscal year in which a State's allocation under
11 section 611(d) is reduced for failure to comply with the
12 requirement of section 612(a)(18)(A), the Secretary may
13 apply the reduction specified in section 612(a)(18)(B) over
14 a period of consecutive fiscal years, not to exceed 5, until
15 the entire reduction is applied: *Provided further*, That the
16 Secretary may, in any fiscal year in which a State's alloca-
17 tion under section 611 is reduced in accordance with sec-
18 tion 612(a)(18)(B), reduce the amount a State may re-
19 serve under section 611(e)(1) by an amount that bears
20 the same relation to the maximum amount described in
21 that paragraph as the reduction under section
22 612(a)(18)(B) bears to the total allocation the State
23 would have received in that fiscal year under section
24 611(d) in the absence of the reduction: *Provided further*,
25 That the Secretary shall either reduce the allocation of

1 funds under section 611 for any fiscal year following the
2 fiscal year for which the State fails to comply with the
3 requirement of section 612(a)(18)(A) as authorized by
4 section 612(a)(18)(B), or seek to recover funds under sec-
5 tion 452 of the General Education Provisions Act (20
6 U.S.C. 1234a): *Provided further*, That the funds reserved
7 under 611(c) of the IDEA may be used to provide tech-
8 nical assistance to States to improve the capacity of the
9 States to meet the data collection requirements of sections
10 616 and 618 and to administer and carry out other serv-
11 ices and activities to improve data collection, coordination,
12 quality, and use under parts B and C of the IDEA: *Pro-*
13 *vided further*, That the Secretary may use funds made
14 available for the State Personnel Development Grants pro-
15 gram under part D, subpart 1 of IDEA to evaluate pro-
16 gram performance under such subpart: *Provided further*,
17 That States may use funds reserved for other State-level
18 activities under sections 611(e)(2) and 619(f) of the IDEA
19 to make subgrants to local educational agencies, institu-
20 tions of higher education, other public agencies, and pri-
21 vate non-profit organizations to carry out activities au-
22 thorized by those sections: *Provided further*, That, not-
23 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
24 fewer States apply for grants pursuant to section 643(e)
25 of such Act, the Secretary shall provide a grant to each

1 State in an amount equal to the maximum amount de-
2 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
3 *ther*, That if more than 5 States apply for grants pursuant
4 to section 643(e) of the IDEA, the Secretary shall award
5 funds to those States on the basis of the States' relative
6 populations of infants and toddlers except that no such
7 State shall receive a grant in excess of the amount de-
8 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
9 *ther*, That States may use funds allotted under section
10 643(c) of the IDEA to make subgrants to local edu-
11 cational agencies, institutions of higher education, other
12 public agencies, and private non-profit organizations to
13 carry out activities authorized by section 638 of IDEA:
14 *Provided further*, That, notwithstanding section 638 of the
15 IDEA, any State receiving a grant under section 633 of
16 the IDEA must reserve not less than 10 percent of its
17 award for use in a manner described in a State plan, ap-
18 proved by the Secretary, to ensure equitable access to and
19 participation in part C services in the State, particularly
20 for populations that have been traditionally underrep-
21 resented in the program: *Provided further*, That, notwith-
22 standing section 632(4)(B) of the IDEA, a State receiving
23 a grant under section 633 of the IDEA may establish a
24 system of payments but may not include in that system
25 family fees or out-of-pocket costs to families for early

1 intervention services: *Provided further*, That any State
2 seeking to amend its eligibility criteria under section
3 635(a)(1) of the IDEA in such a way that would have
4 the effect of reducing the number of infants and families
5 who are eligible under part C must conduct the public par-
6 ticipation under section 637(a)(8) of the IDEA at least
7 24 months prior to implementing such a change: *Provided*
8 *further*, That, notwithstanding section 638 of the IDEA,
9 a State may use funds it receives under section 633 of
10 the IDEA to offer continued early intervention services to
11 a child who previously received services under part C of
12 the IDEA from age 3 until the beginning of the school
13 year following the child's third birthday without regard to
14 the procedures in section 635(c) of the IDEA.

15 REHABILITATION SERVICES

16 For carrying out, to the extent not otherwise pro-
17 vided, the Rehabilitation Act of 1973 and the Helen Keller
18 National Center Act, \$3,896,820,000, of which
19 \$3,719,121,000 shall be for grants for vocational rehabili-
20 tation services under title I of the Rehabilitation Act: *Pro-*
21 *vided*, That the Secretary may use amounts provided in
22 this Act that remain available subsequent to the reallocot-
23 ment of funds to States pursuant to section 110(b) of the
24 Rehabilitation Act for innovative activities aimed at in-
25 creasing competitive integrated employment as defined in

1 section 7 of such Act for youth and other individuals with
2 disabilities: *Provided further*, That States may award sub-
3 grants for a portion of the funds to other public and pri-
4 vate, nonprofit entities: *Provided further*, That any funds
5 made available subsequent to reallocation for innovative
6 activities aimed at improving the outcomes of individuals
7 with disabilities shall remain available until September 30,
8 2023.

9 SPECIAL INSTITUTIONS FOR PERSONS WITH
10 DISABILITIES

11 AMERICAN PRINTING HOUSE FOR THE BLIND

12 For carrying out the Act to Promote the Education
13 of the Blind of March 3, 1879, \$37,431,000.

14 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

15 For the National Technical Institute for the Deaf
16 under titles I and II of the Education of the Deaf Act
17 of 1986, \$84,500,000: *Provided*, That from the total
18 amount available, the Institute may at its discretion use
19 funds for the endowment program as authorized under
20 section 207 of such Act.

21 GALLAUDET UNIVERSITY

22 For the Kendall Demonstration Elementary School,
23 the Model Secondary School for the Deaf, and the partial
24 support of Gallaudet University under titles I and II of
25 the Education of the Deaf Act of 1986, \$143,361,000:

1 *Provided*, That from the total amount available, the Uni-
2 versity may at its discretion use funds for the endowment
3 program as authorized under section 207 of such Act.

4 CAREER, TECHNICAL, AND ADULT EDUCATION

5 For carrying out, to the extent not otherwise pro-
6 vided, the Carl D. Perkins Career and Technical Edu-
7 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
8 cation and Family Literacy Act (“AEFLA”),
9 \$2,238,981,000, of which \$1,447,981,000 shall become
10 available on July 1, 2022, and shall remain available
11 through September 30, 2023, and of which \$791,000,000
12 shall become available on October 1, 2022, and shall re-
13 main available through September 30, 2023: *Provided*,
14 That \$100,000,000 shall be for competitive grants for
15 local educational agencies to carry out evidence-based mid-
16 dle and high school career and technical education innova-
17 tion programs: *Provided further*, That section 3(20) of the
18 Perkins Act shall be applied as if the term “eligible insti-
19 tution” includes an apprenticeship program that is reg-
20 istered under the National Apprenticeship Act and accred-
21 ited by an agency recognized by the Secretary of Edu-
22 cation: *Provided further*, That of the amounts made avail-
23 able for AEFLA, \$38,712,000 shall be for national leader-
24 ship activities under section 242.

1 STUDENT FINANCIAL ASSISTANCE

2 For carrying out subparts 1, 3, and 10 of part A,
3 and part C of title IV of the HEA, \$27,187,352,000 which
4 shall remain available through September 30, 2023.

5 The maximum Pell Grant for which a student shall
6 be eligible during award year 2022–2023 shall be \$5,835.

7 STUDENT AID ADMINISTRATION

8 For Federal administrative expenses to carry out part
9 D of title I, and subparts 1, 3, 9, and 10 of part A, and
10 parts B, C, D, and E of title IV of the HEA, and subpart
11 1 of part A of title VII of the Public Health Service Act,
12 \$2,053,943,000, to remain available through September
13 30, 2023: *Provided*, That the Secretary shall allocate new
14 student loan borrower accounts to eligible student loan
15 servicers on the basis of their past performance compared
16 to all loan servicers utilizing established common metrics,
17 and on the basis of the capacity of each servicer to process
18 new and existing accounts and compliance with Federal
19 and State law: *Provided further*, That for student loan
20 contracts awarded prior to October 1, 2017, the Secretary
21 shall allow student loan borrowers who are consolidating
22 Federal student loans to select from any student loan
23 servicer to service their new consolidated student loan:
24 *Provided further*, That in order to promote accountability
25 and high-quality service to borrowers, the Secretary shall

1 not award funding for any contract solicitation for a new
2 Federal student loan servicing environment, including the
3 solicitation for the Federal Student Aid (FSA) Next Gen-
4 eration Processing and Servicing Environment, unless
5 such an environment provides for the participation of mul-
6 tiple student loan servicers that contract directly with the
7 Department of Education: *Provided further*, That the De-
8 partment shall re-allocate accounts from servicers for re-
9 curring non-compliance with FSA guidelines, contractual
10 requirements, and Federal and State laws, including for
11 failure to sufficiently inform borrowers of available repay-
12 ment options: *Provided further*, That such servicers shall
13 be evaluated based on their ability to meet contract re-
14 quirements (including an understanding of Federal and
15 State law), future performance on the contracts, and his-
16 tory of compliance with applicable consumer protections
17 laws, including Federal and State law: *Provided further*,
18 That to the extent FSA permits student loan servicing
19 subcontracting, FSA shall hold prime contractors account-
20 able for meeting the requirements of the contract, and the
21 performance and expectations of subcontractors shall be
22 accounted for in the prime contract and in the overall per-
23 formance of the prime contractor: *Provided further*, That
24 FSA shall ensure that the Next Generation Processing
25 and Servicing Environment, or any new Federal loan serv-

1 icing environment, incentivize more support to borrowers
2 at risk of delinquency or default: *Provided further*, That
3 FSA shall ensure that in such environment contractors
4 have the capacity to meet and are held accountable for
5 performance on service levels; are held accountable for and
6 have a history of compliance with applicable consumer pro-
7 tection laws, including Federal and State law; and have
8 relevant experience and demonstrated effectiveness: *Pro-*
9 *vided further*, That the Secretary shall provide quarterly
10 briefings to the Committees on Appropriations and Edu-
11 cation and Labor of the House of Representatives and the
12 Committees on Appropriations and Health, Education,
13 Labor, and Pensions of the Senate on general progress
14 related to solicitations for Federal student loan servicing
15 contracts: *Provided further*, That FSA shall strengthen
16 transparency through expanded publication of aggregate
17 data on student loan and servicer performance: *Provided*
18 *further*, That not later than 60 days after enactment of
19 this Act, FSA shall provide to the Committees on Appro-
20 priations of the House of Representatives and the Senate
21 a detailed spend plan of anticipated uses of funds made
22 available in this account for fiscal year 2022 and provide
23 quarterly updates on this plan (including contracts award-
24 ed, change orders, bonuses paid to staff, reorganization
25 costs, and any other activity carried out using amounts

1 provided under this heading for fiscal year 2022): *Pro-*
2 *vided further*, That the FSA Next Generation Processing
3 and Servicing Environment, or any new Federal student
4 loan servicing environment, shall include accountability
5 measures that account for the performance of the portfolio
6 and contractor compliance with FSA guidelines.

7 HIGHER EDUCATION

8 For carrying out, to the extent not otherwise pro-
9 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
10 the Mutual Educational and Cultural Exchange Act of
11 1961, and section 117 of the Perkins Act,
12 \$3,430,757,000, of which \$168,015,000 shall remain
13 available through December 31, 2022: *Provided*, That not-
14 withstanding any other provision of law, funds made avail-
15 able in this Act to carry out title VI of the HEA and sec-
16 tion 102(b)(6) of the Mutual Educational and Cultural
17 Exchange Act of 1961 may be used to support visits and
18 study in foreign countries by individuals who are partici-
19 pating in advanced foreign language training and inter-
20 national studies in areas that are vital to United States
21 national security and who plan to apply their language
22 skills and knowledge of these countries in the fields of gov-
23 ernment, the professions, or international development:
24 *Provided further*, That of the funds referred to in the pre-
25 ceding proviso up to 1 percent may be used for program

1 evaluation, national outreach, and information dissemina-
2 tion activities: *Provided further*, That up to 1.5 percent
3 of the funds made available under chapter 2 of subpart
4 2 of part A of title IV of the HEA may be used for evalua-
5 tion: *Provided further*, That section 313(d) of the HEA
6 shall not apply to an institution of higher education that
7 is eligible to receive funding under section 318 of the
8 HEA: *Provided further*, That of the amounts made avail-
9 able under this heading, \$92,015,000 shall be used for the
10 projects, and in the amounts, specified under the heading
11 “Higher Education” in the report accompanying this Act,
12 and of which up to \$1,000,000 may be used for related
13 agency administrative expenses: *Provided further*, That
14 none of the funds made available for projects described
15 in the preceding proviso shall be subject to section 302
16 of this Act.

17 HOWARD UNIVERSITY

18 For partial support of Howard University,
19 \$411,018,000, of which not less than \$3,405,000 shall be
20 for a matching endowment grant pursuant to the Howard
21 University Endowment Act and shall remain available
22 until expended.

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
2 PROGRAM

3 For Federal administrative expenses to carry out ac-
4 tivities related to existing facility loans pursuant to section
5 121 of the HEA, \$435,000.

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$24,150,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2023: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 these funds are available to subsidize total loan principal,
15 any part of which is to be guaranteed, not to exceed
16 \$328,571,000: *Provided further*, That these funds may be
17 used to support loans to public and private Historically
18 Black Colleges and Universities without regard to the limi-
19 tations within section 344(a) of the HEA.

20 In addition, for administrative expenses to carry out
21 the Historically Black College and University Capital Fi-
22 nancing Program entered into pursuant to part D of title
23 III of the HEA, \$334,000.

1 INSTITUTE OF EDUCATION SCIENCES

2 For carrying out activities authorized by the Edu-
3 cation Sciences Reform Act of 2002, the National Assess-
4 ment of Educational Progress Authorization Act, section
5 208 of the Educational Technical Assistance Act of 2002,
6 and section 664 of the Individuals with Disabilities Edu-
7 cation Act, \$762,465,000, which shall remain available
8 through September 30, 2023: *Provided*, That funds avail-
9 able to carry out section 208 of the Educational Technical
10 Assistance Act may be used to link Statewide elementary
11 and secondary data systems with early childhood, postsec-
12 ondary, and workforce data systems, or to further develop
13 such systems: *Provided further*, That up to \$6,000,000 of
14 the funds available to carry out section 208 of the Edu-
15 cational Technical Assistance Act may be used for awards
16 to public or private organizations or agencies to support
17 activities to improve data coordination, quality, and use
18 at the local, State, and national levels.

19 DEPARTMENTAL MANAGEMENT

20 PROGRAM ADMINISTRATION

21 For carrying out, to the extent not otherwise pro-
22 vided, the Department of Education Organization Act, in-
23 cluding rental of conference rooms in the District of Co-
24 lumbia and hire of three passenger motor vehicles,
25 \$480,000,000, of which up to \$13,000,000, to remain

1 available until expended, shall be available for relocation
2 expenses, and for the renovation and repair of leased
3 buildings: *Provided*, That, notwithstanding any other pro-
4 vision of law, none of the funds provided by this Act or
5 provided by previous Appropriations Acts to the Depart-
6 ment of Education available for obligation or expenditure
7 in the current fiscal year may be used for any activity re-
8 lating to implementing a reorganization that decentralizes,
9 reduces the staffing level, or alters the responsibilities,
10 structure, authority, or functionality of the Budget Service
11 of the Department of Education, relative to the organiza-
12 tion and operation of the Budget Service as in effect on
13 January 1, 2018.

14 OFFICE FOR CIVIL RIGHTS

15 For expenses necessary for the Office for Civil
16 Rights, as authorized by section 203 of the Department
17 of Education Organization Act, \$144,000,000.

18 OFFICE OF INSPECTOR GENERAL

19 For expenses necessary for the Office of Inspector
20 General, as authorized by section 212 of the Department
21 of Education Organization Act, \$70,115,000, of which
22 \$2,000,000 shall remain available until expended.

1 GENERAL PROVISIONS

2 SEC. 301. No funds appropriated in this Act may be
3 used to prevent the implementation of programs of vol-
4 untary prayer and meditation in the public schools.

5 (TRANSFER OF FUNDS)

6 SEC. 302. Not to exceed 1 percent of any discre-
7 tionary funds (pursuant to the Balanced Budget and
8 Emergency Deficit Control Act of 1985) which are appro-
9 priated for the Department of Education in this Act may
10 be transferred between appropriations, but no such appro-
11 priation shall be increased by more than 3 percent by any
12 such transfer: *Provided*, That the transfer authority
13 granted by this section shall not be used to create any
14 new program or to fund any project or activity for which
15 no funds are provided in this Act: *Provided further*, That
16 the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate are notified at least 15 days
18 in advance of any transfer.

19 SEC. 303. Funds appropriated in this Act and con-
20 solidated for evaluation purposes under section 8601(c) of
21 the ESEA shall be available from July 1, 2022, through
22 September 30, 2023.

23 SEC. 304. (a) An institution of higher education that
24 maintains an endowment fund supported with funds ap-
25 propriated for title III or V of the HEA for fiscal year

1 2022 may use the income from that fund to award schol-
2 arships to students, subject to the limitation in section
3 331(c)(3)(B)(i) of the HEA. The use of such income for
4 such purposes, prior to the enactment of this Act, shall
5 be considered to have been an allowable use of that in-
6 come, subject to that limitation.

7 (b) Subsection (a) shall be in effect until titles III
8 and V of the HEA are reauthorized.

9 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
10 1011c(f)) is amended by striking “2021” and inserting
11 “2022”.

12 SEC. 306. Section 458(a) of the HEA (20 U.S.C.
13 1087h(a)) is amended in paragraph (4) by striking
14 “2021” and inserting “2022”.

15 SEC. 307. Funds appropriated in this Act under the
16 heading “Student Aid Administration” may be available
17 for payments for student loan servicing to an institution
18 of higher education that services outstanding Federal Per-
19 kins Loans under part E of title IV of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1087aa et seq.).

21 (RESCISSION)

22 SEC. 308. Of the amounts appropriated under Sec-
23 tion 401(b)(7)(A)(iv)(XI) of the Higher Education Act of
24 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year
25 2022, \$229,000,000 are hereby rescinded.

1 SEC. 309. Of the amounts made available under this
2 title under the heading “Student Aid Administration”,
3 \$2,300,000 shall be used by the Secretary of Education
4 to conduct outreach to borrowers of loans made under part
5 D of title IV of the Higher Education Act of 1965 who
6 may intend to qualify for loan cancellation under section
7 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
8 borrowers are meeting the terms and conditions of such
9 loan cancellation: *Provided*, That the Secretary shall spe-
10 cifically conduct outreach to assist borrowers who would
11 qualify for loan cancellation under section 455(m) of such
12 Act except that the borrower has made some, or all, of
13 the 120 required payments under a repayment plan that
14 is not described under section 455(m)(A) of such Act, to
15 encourage borrowers to enroll in a qualifying repayment
16 plan: *Provided further*, That the Secretary shall also com-
17 municate to all Direct Loan borrowers the full require-
18 ments of section 455(m) of such Act and improve the fil-
19 ing of employment certification by providing improved out-
20 reach and information such as outbound calls, electronic
21 communications, ensuring prominent access to program
22 requirements and benefits on each servicer’s website, and
23 creating an option for all borrowers to complete the entire
24 payment certification process electronically and on a cen-
25 tralized website.

1 SEC. 310. For an additional amount for “Department
2 of Education—Federal Direct Student Loan Program Ac-
3 count”, \$25,000,000, to remain available until expended,
4 shall be for the cost, as defined under section 502 of the
5 Congressional Budget Act of 1974, of the Secretary of
6 Education providing loan cancellation in the same manner
7 as under section 455(m) of the Higher Education Act of
8 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
9 under part B or D of title IV of such Act who would qual-
10 ify for loan cancellation under section 455(m) except
11 some, or all, of the 120 required payments under section
12 455(m)(1)(A) do not qualify for purposes of the program
13 because they were monthly payments made on one or more
14 loans prior to receiving a Federal Direct Consolidation
15 Loan under section 455(g), or in accordance with grad-
16 uated or extended repayment plans as described under
17 subparagraph (B) or (C) of section 455(d)(1) or the cor-
18 responding repayment plan for a consolidation loan made
19 under section 455(g): *Provided further*, That the total loan
20 volume, including outstanding principal, fees, capitalized
21 interest, or accrued interest, at application that is eligible
22 for such loan cancellation by such borrowers shall not ex-
23 ceed \$75,000,000: *Provided further*, That the Secretary
24 shall develop and make available a simple method for bor-
25 rowers to apply for loan cancellation under this section

1 within 60 days of enactment of this Act: *Provided further*,
2 That the Secretary shall provide loan cancellation under
3 this section to eligible borrowers on a first-come, first-
4 serve basis, based on the date of application and subject
5 to both the limitation on total loan volume at application
6 for such loan cancellation specified in the second proviso
7 and the availability of appropriations under this section:
8 *Provided further*, That no borrower may, for the same
9 service, receive a reduction of loan obligations under both
10 this section and section 428J, 428K, 428L, or 460 of such
11 Act: *Provided further*, That the Secretary shall inform all
12 borrowers who have submitted and Employment Certifi-
13 cation Form and are in the incorrect repayment program
14 about the Temporary Expanded Public Service Loan For-
15 giveness Program and requirement for qualification under
16 the program.

17 SEC. 311. None of the funds made available by this
18 Act may be used in contravention of section 203 of the
19 Department of Education Organization Act (20 U.S.C.
20 3413).

21 SEC. 312. Section 487(a) of the HEA is amended in
22 paragraph (24) by striking “ten percent” and inserting
23 “fifteen percent”.

24 SEC. 313. None of the funds made available by this
25 Act may be used by the Department of Education to sup-

1 port an educational institution that engages in the use of
2 electric shock devices and equipment for aversive condi-
3 tioning or disciplining of students.

4 SEC. 314. None of the funds made available by this
5 Act or any other Act may be awarded to a charter school
6 that contracts with a for-profit entity to operate, oversee
7 or manage the activities of the school.

8 SEC. 315. In addition to amounts otherwise appro-
9 priated in this title for purposes authorized by the Ele-
10 mentary and Secondary Education Act of 1965, there are
11 hereby appropriated an additional \$88,010,000 which
12 shall be used for the projects, and in the amounts specified
13 under the heading “Innovation and Improvement” in the
14 report accompanying this Act, and of which up to
15 \$1,000,000 may be used for related agency administrative
16 expenses: *Provided*, That none of the funds made available
17 for projects described in this section shall be subject to
18 section 302 of this Act.

19 SEC. 316. None of the funds appropriated by this
20 title for the Department of Education shall be withheld
21 from an institution of higher education solely because that
22 institution is conducting or preparing to conduct research
23 on marihuana as defined in 21 U.S.C. 802(16).

24 SEC. 317. (a) Section 484 of the HEA (20 U.S.C.
25 1091) is amended—

1 (1) in subsection (a)(5) by inserting “a DACA recipi-
2 ent as defined in subsection (u), have temporary protected
3 status under section 244 of the Immigration and Nation-
4 ality Act (8 U.S.C. 1254a),” after “a permanent resident
5 of the United States,”; and

6 (2) by adding at the end the following new subsection:

7 “(u) DACA RECIPIENT.—In this section, the term
8 ‘DACA recipient’ means an alien (as defined in section
9 101(a)(3) of the Immigration and Nationality Act (8
10 U.S.C. 1101(a)(3)) who is inadmissible to the United
11 State or deportable from the United States under the im-
12 migration laws (as defined in section 101(a)(17) of the
13 Immigration and Nationality Act (8 U.S.C. 1101(a)(17))
14 and who the Secretary of Homeland Security has, in his
15 or her discretion, determined should be afforded a grant
16 of deferred action under the Deferred Action for Child-
17 hood Arrivals (DACA) policy.”.

18 (b) This section, and the amendments made by this
19 section, shall take effect on July 1, 2022.

20 SEC. 318. Section 344(a) of the HEA (20 U.S.C.
21 1066c(a)) is amended by striking “No institution of higher
22 education that has received assistance under section 8 of
23 the Act of March 2, 1867 (20 U.S.C. 123) shall be eligible
24 to receive assistance under this part.”.

1 This title may be cited as the “Department of Edu-
2 cation Appropriations Act, 2022”.

3 TITLE IV
4 RELATED AGENCIES

5 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
6 BLIND OR SEVERELY DISABLED

7 SALARIES AND EXPENSES

8 For expenses necessary for the Committee for Pur-
9 chase From People Who Are Blind or Severely Disabled
10 (referred to in this title as “the Committee”) established
11 under section 8502 of title 41, United States Code,
12 \$12,000,000: *Provided*, That in order to authorize any
13 central nonprofit agency designated pursuant to section
14 8503(c) of title 41, United States Code, to perform re-
15 quirements of the Committee as prescribed under section
16 51–3.2 of title 41, Code of Federal Regulations, the Com-
17 mittee shall enter into a written agreement with any such
18 central nonprofit agency: *Provided further*, That such
19 agreement shall contain such auditing, oversight, and re-
20 porting provisions as necessary to implement chapter 85
21 of title 41, United States Code: *Provided further*, That
22 such agreement shall include the elements listed under the
23 heading “Committee For Purchase From People Who Are
24 Blind or Severely Disabled—Written Agreement Ele-
25 ments” in the explanatory statement described in section

1 4 of Public Law 114–113 (in the matter preceding division
2 A of that consolidated Act): *Provided further*, That any
3 such central nonprofit agency may not charge a fee under
4 section 51–3.5 of title 41, Code of Federal Regulations,
5 prior to executing a written agreement with the Com-
6 mittee: *Provided further*, That no less than \$3,000,000
7 shall be available for the Office of Inspector General.

8 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
9 OPERATING EXPENSES

10 For necessary expenses for the Corporation for Na-
11 tional and Community Service (referred to in this title as
12 “CNCS”) to carry out the Domestic Volunteer Service Act
13 of 1973 (referred to in this title as “1973 Act”) and the
14 National and Community Service Act of 1990 (referred
15 to in this title as “1990 Act”), \$1,021,120,000, notwith-
16 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
17 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
18 amounts provided under this heading: (1) up to 1 percent
19 of program grant funds may be used to defray the costs
20 of conducting grant application reviews, including the use
21 of outside peer reviewers and electronic management of
22 the grants cycle; (2) \$19,538,000 shall be available to pro-
23 vide assistance to State commissions on national and com-
24 munity service, under section 126(a) of the 1990 Act and
25 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)

1 \$37,735,000 shall be available to carry out subtitle E of
2 the 1990 Act; and (4) \$6,700,000 shall be available for
3 expenses authorized under section 501(a)(4)(F) of the
4 1990 Act, which, notwithstanding the provisions of section
5 198P shall be awarded by CNCS on a competitive basis:
6 *Provided further*, That for the purposes of carrying out
7 the 1990 Act, satisfying the requirements in section
8 122(c)(1)(D) may include a determination of need by the
9 local community.

10 PAYMENT TO THE NATIONAL SERVICE TRUST
11 (INCLUDING TRANSFER OF FUNDS)

12 For payment to the National Service Trust estab-
13 lished under subtitle D of title I of the 1990 Act,
14 \$196,000,000, to remain available until expended: *Pro-*
15 *vided*, That CNCS may transfer additional funds from the
16 amount provided within “Operating Expenses” allocated
17 to grants under subtitle C of title I of the 1990 Act to
18 the National Service Trust upon determination that such
19 transfer is necessary to support the activities of national
20 service participants and after notice is transmitted to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate: *Provided further*, That amounts ap-
23 propriated for or transferred to the National Service Trust
24 may be invested under section 145(b) of the 1990 Act

1 without regard to the requirement to apportion funds
2 under 31 U.S.C. 1513(b).

3 SALARIES AND EXPENSES

4 For necessary expenses of administration as provided
5 under section 501(a)(5) of the 1990 Act and under section
6 504(a) of the 1973 Act, including payment of salaries, au-
7 thorized travel, hire of passenger motor vehicles, the rental
8 of conference rooms in the District of Columbia, the em-
9 ployment of experts and consultants authorized under 5
10 U.S.C. 3109, and not to exceed \$2,500 for official recep-
11 tion and representation expenses, \$91,186,000.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the Inspector General Act of 1978,
15 \$6,960,000.

16 ADMINISTRATIVE PROVISIONS

17 SEC. 401. CNCS shall make any significant changes
18 to program requirements, service delivery or policy only
19 through public notice and comment rulemaking. For fiscal
20 year 2022, during any grant selection process, an officer
21 or employee of CNCS shall not knowingly disclose any cov-
22 ered grant selection information regarding such selection,
23 directly or indirectly, to any person other than an officer
24 or employee of CNCS that is authorized by CNCS to re-
25 ceive such information.

1 SEC. 402. AmeriCorps programs receiving grants
2 under the National Service Trust program shall meet an
3 overall minimum share requirement of 24 percent for the
4 first 3 years that they receive AmeriCorps funding, and
5 thereafter shall meet the overall minimum share require-
6 ment as provided in section 2521.60 of title 45, Code of
7 Federal Regulations, without regard to the operating costs
8 match requirement in section 121(e) or the member sup-
9 port Federal share limitations in section 140 of the 1990
10 Act, and subject to partial waiver consistent with section
11 2521.70 of title 45, Code of Federal Regulations.

12 SEC. 403. Donations made to CNCS under section
13 196 of the 1990 Act for the purposes of financing pro-
14 grams and operations under titles I and II of the 1973
15 Act or subtitle B, C, D, or E of title I of the 1990 Act
16 shall be used to supplement and not supplant current pro-
17 grams and operations.

18 SEC. 404. In addition to the requirements in section
19 146(a) of the 1990 Act, use of an educational award for
20 the purpose described in section 148(a)(4) shall be limited
21 to individuals who are veterans as defined under section
22 101 of the Act.

23 SEC. 405. For the purpose of carrying out section
24 189D of the 1990 Act—

1 (1) entities described in paragraph (a) of such
2 section shall be considered “qualified entities” under
3 section 3 of the National Child Protection Act of
4 1993 (“NCPA”);

5 (2) individuals described in such section shall
6 be considered “volunteers” under section 3 of
7 NCPA; and

8 (3) State Commissions on National and Com-
9 munity Service established pursuant to section 178
10 of the 1990 Act, are authorized to receive criminal
11 history record information, consistent with Public
12 Law 92–544.

13 SEC. 406. Notwithstanding sections 139(b), 146 and
14 147 of the 1990 Act, an individual who successfully com-
15 pletes a term of service of not less than 1,200 hours dur-
16 ing a period of not more than one year may receive a na-
17 tional service education award having a value of 70 per-
18 cent of the value of a national service education award
19 determined under section 147(a) of the Act.

20 SEC. 407. Section 148(f)(2)(A)(i) of the 1990 Act
21 shall be applied by substituting “an approved national
22 service position” for “a national service program that re-
23 ceives grants under subtitle C”.

24 SEC. 408. (a) Section 137(a)(5) of the 1990 Act shall
25 be applied as if the following were inserted before the pe-

1 riod: “, or has submitted a request for administrative re-
2 lief pursuant to the policy established in the memorandum
3 of the Secretary of Homeland Security dated June 15,
4 2012, and entitled ‘Exercising Prosecutorial Discretion
5 with Respect to Individuals Who Came to the United
6 States as Children’ (Deferred Action for Childhood Arriv-
7 als)’”.

8 (b) Section 146(a)(3) of the 1990 Act shall be applied
9 as if the following were inserted before the period: “, or
10 has submitted a request for administrative relief pursuant
11 to the policy established in the memorandum of the Sec-
12 retary of Homeland Security dated June 15, 2012, and
13 entitled ‘Exercising Prosecutorial Discretion with Respect
14 to Individuals Who Came to the United States as Children
15 (Deferred Action for Childhood Arrivals)’”.

16 CORPORATION FOR PUBLIC BROADCASTING

17 For payment to the Corporation for Public Broad-
18 casting (“CPB”), as authorized by the Communications
19 Act of 1934, an amount which shall be available within
20 limitations specified by that Act, for the fiscal year 2024,
21 \$565,000,000: *Provided*, That none of the funds made
22 available to CPB by this Act shall be used to pay for re-
23 ceptions, parties, or similar forms of entertainment for
24 Government officials or employees: *Provided further*, That
25 none of the funds made available to CPB by this Act shall

1 be available or used to aid or support any program or ac-
2 tivity from which any person is excluded, or is denied ben-
3 efits, or is discriminated against, on the basis of race,
4 color, national origin, religion, or sex: *Provided further,*
5 That none of the funds made available to CPB by this
6 Act shall be used to apply any political test or qualification
7 in selecting, appointing, promoting, or taking any other
8 personnel action with respect to officers, agents, and em-
9 ployees of CPB.

10 In addition, for the costs associated with replacing
11 and upgrading the public broadcasting interconnection
12 system and other technologies and services that create in-
13 frastructure and efficiencies within the public media sys-
14 tem, \$20,000,000.

15 FEDERAL MEDIATION AND CONCILIATION SERVICE

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mediation
18 and Conciliation Service (“Service”) to carry out the func-
19 tions vested in it by the Labor-Management Relations Act,
20 1947, including hire of passenger motor vehicles; for ex-
21 penses necessary for the Labor-Management Cooperation
22 Act of 1978; and for expenses necessary for the Service
23 to carry out the functions vested in it by the Civil Service
24 Reform Act, \$50,000,000: *Provided,* That notwithstanding
25 31 U.S.C. 3302, fees charged, up to full-cost recovery, for

1 special training activities and other conflict resolution
2 services and technical assistance, including those provided
3 to foreign governments and international organizations,
4 and for arbitration services shall be credited to and
5 merged with this account, and shall remain available until
6 expended: *Provided further*, That fees for arbitration serv-
7 ices shall be available only for education, training, and
8 professional development of the agency workforce: *Pro-*
9 *vided further*, That the Director of the Service is author-
10 ized to accept and use on behalf of the United States gifts
11 of services and real, personal, or other property in the aid
12 of any projects or functions within the Director's jurisdic-
13 tion.

14 FEDERAL MINE SAFETY AND HEALTH REVIEW

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mine Safety
18 and Health Review Commission, \$17,539,000.

19 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

20 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

21 AND ADMINISTRATION

22 For carrying out the Museum and Library Services
23 Act of 1996, the National Museum of African American
24 History and Culture Act, and the National Museum of the
25 American Latino Act, \$282,000,000.

1 MEDICAID AND CHIP PAYMENT AND ACCESS

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary to carry out section 1900 of
5 the Social Security Act, \$9,350,000.

6 MEDICARE PAYMENT ADVISORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary to carry out section 1805 of
9 the Social Security Act, \$13,310,000, to be transferred to
10 this appropriation from the Federal Hospital Insurance
11 Trust Fund and the Federal Supplementary Medical In-
12 surance Trust Fund.

13 NATIONAL COUNCIL ON DISABILITY

14 SALARIES AND EXPENSES

15 For expenses necessary for the National Council on
16 Disability as authorized by title IV of the Rehabilitation
17 Act of 1973, \$3,750,000.

18 NATIONAL LABOR RELATIONS BOARD

19 SALARIES AND EXPENSES

20 For expenses necessary for the National Labor Rela-
21 tions Board to carry out the functions vested in it by the
22 Labor-Management Relations Act, 1947, and other laws,
23 \$316,925,000 of which not less than \$1,000,000 shall be
24 used to develop a system and procedures to conduct union
25 representation elections electronically.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, including emergency boards ap-
5 pointed by the President, \$15,542,000.

6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

7 COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Occupational Safety
10 and Health Review Commission, \$15,028,000.

11 RAILROAD RETIREMENT BOARD

12 DUAL BENEFITS PAYMENTS ACCOUNT

13 For payment to the Dual Benefits Payments Ac-
14 count, authorized under section 15(d) of the Railroad Re-
15 tirement Act of 1974, \$11,000,000, which shall include
16 amounts becoming available in fiscal year 2022 pursuant
17 to section 224(c)(1)(B) of Public Law 98–76; and in addi-
18 tion, an amount, not to exceed 2 percent of the amount
19 provided herein, shall be available proportional to the
20 amount by which the product of recipients and the average
21 benefit received exceeds the amount available for payment
22 of vested dual benefits: *Provided*, That the total amount
23 provided herein shall be credited in 12 approximately
24 equal amounts on the first day of each month in the fiscal
25 year.

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

2 ACCOUNTS

3 For payment to the accounts established in the
4 Treasury for the payment of benefits under the Railroad
5 Retirement Act for interest earned on unnegotiated
6 checks, \$150,000, to remain available through September
7 30, 2023, which shall be the maximum amount available
8 for payment pursuant to section 417 of Public Law 98–
9 76.

10 LIMITATION ON ADMINISTRATION

11 For necessary expenses for the Railroad Retirement
12 Board (“Board”) for administration of the Railroad Re-
13 tirement Act and the Railroad Unemployment Insurance
14 Act, \$130,049,000, to be derived in such amounts as de-
15 termined by the Board from the railroad retirement ac-
16 counts and from moneys credited to the railroad unem-
17 ployment insurance administration fund: *Provided*, That
18 notwithstanding section 7(b)(9) of the Railroad Retire-
19 ment Act this limitation may be used to hire attorneys
20 only through the excepted service: *Provided further*, That
21 the previous proviso shall not change the status under
22 Federal employment laws of any attorney hired by the
23 Railroad Retirement Board prior to January 1, 2013: *Pro-*
24 *vided further*, That notwithstanding section 7(b)(9) of the
25 Railroad Retirement Act, this limitation may be used to

1 hire students attending qualifying educational institutions
2 or individuals who have recently completed qualifying edu-
3 cational programs using current excepted hiring authori-
4 ties established by the Office of Personnel Management.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General for audit, investigatory and review activities, as
8 authorized by the Inspector General Act of 1978, not more
9 than \$12,650,000, to be derived from the railroad retire-
10 ment accounts and railroad unemployment insurance ac-
11 count.

12 SOCIAL SECURITY ADMINISTRATION

13 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

14 For payment to the Federal Old-Age and Survivors
15 Insurance Trust Fund and the Federal Disability Insur-
16 ance Trust Fund, as provided under sections 201(m) and
17 1131(b)(2) of the Social Security Act, \$11,000,000.

18 SUPPLEMENTAL SECURITY INCOME PROGRAM

19 For carrying out titles XI and XVI of the Social Se-
20 curity Act, section 401 of Public Law 92–603, section 212
21 of Public Law 93–66, as amended, and section 405 of
22 Public Law 95–216, including payment to the Social Secu-
23 rity trust funds for administrative expenses incurred pur-
24 suant to section 201(g)(1) of the Social Security Act,
25 \$46,167,573,000, to remain available until expended: *Pro-*

1 *vided*, That any portion of the funds provided to a State
2 in the current fiscal year and not obligated by the State
3 during that year shall be returned to the Treasury: *Pro-*
4 *vided further*, That not more than \$86,000,000 shall be
5 available for research and demonstrations under sections
6 1110, 1115, and 1144 of the Social Security Act, and re-
7 main available through September 30, 2024.

8 For making, after June 15 of the current fiscal year,
9 benefit payments to individuals under title XVI of the So-
10 cial Security Act, for unanticipated costs incurred for the
11 current fiscal year, such sums as may be necessary.

12 For making benefit payments under title XVI of the
13 Social Security Act for the first quarter of fiscal year
14 2023, \$15,600,000,000, to remain available until ex-
15 pended.

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 For necessary expenses, including the hire and pur-
18 chase of two passenger motor vehicles, and not to exceed
19 \$20,000 for official reception and representation expenses,
20 not more than \$13,927,945,000 may be expended, as au-
21 thorized by section 201(g)(1) of the Social Security Act,
22 from any one or all of the trust funds referred to in such
23 section: *Provided*, That not less than \$2,700,000 shall be
24 for the Social Security Advisory Board: *Provided further*,
25 That unobligated balances of funds provided under this

1 paragraph at the end of fiscal year 2022 not needed for
2 fiscal year 2022 shall remain available until expended to
3 invest in the Social Security Administration information
4 technology and telecommunications hardware and soft-
5 ware infrastructure, including related equipment and non-
6 payroll administrative expenses associated solely with this
7 information technology and telecommunications infra-
8 structure: *Provided further*, That the Commissioner of So-
9 cial Security shall notify the Committees on Appropria-
10 tions of the House of Representatives and the Senate prior
11 to making unobligated balances available under the au-
12 thority in the previous proviso: *Provided further*, That re-
13 imbursement to the trust funds under this heading for ex-
14 penditures for official time for employees of the Social Se-
15 curity Administration pursuant to 5 U.S.C. 7131, and for
16 facilities or support services for labor organizations pursu-
17 ant to policies, regulations, or procedures referred to in
18 section 7135(b) of such title shall be made by the Sec-
19 retary of the Treasury, with interest, from amounts in the
20 general fund not otherwise appropriated, as soon as pos-
21 sible after such expenditures are made.

22 Of the total amount made available in the first para-
23 graph under this heading, \$1,708,000,000, to remain
24 available through March 31, 2023, is for the costs associ-
25 ated with continuing disability reviews under titles II and

1 XVI of the Social Security Act, including work-related
2 continuing disability reviews to determine whether earn-
3 ings derived from services demonstrate an individual's
4 ability to engage in substantial gainful activity, for the
5 cost associated with conducting redeterminations of eligi-
6 bility under title XVI of the Social Security Act, for the
7 cost of co-operative disability investigation units, and for
8 the cost associated with the prosecution of fraud in the
9 programs and operations of the Social Security Adminis-
10 tration by Special Assistant United States Attorneys: *Pro-*
11 *vided*, That, of such amount, \$273,000,000 is provided to
12 meet the terms of section 1(k) of H. Res. 467 of the 117th
13 Congress as engrossed in the House of Representatives on
14 June 14, 2021, and \$1,435,000,000 is additional new
15 budget authority specified for purposes of such section
16 1(k): *Provided further*, That, of the additional new budget
17 authority described in the preceding proviso, up to
18 \$12,100,000 may be transferred to the “Office of Inspec-
19 tor General”, Social Security Administration, for the cost
20 of jointly operated co-operative disability investigation
21 units: *Provided further*, That such transfer authority is in
22 addition to any other transfer authority provided by law:
23 *Provided further*, That the Commissioner shall provide to
24 the Congress (at the conclusion of the fiscal year) a report
25 on the obligation and expenditure of these funds, similar

1 to the reports that were required by section 103(d)(2) of
2 Public Law 104–121 for fiscal years 1996 through 2002.

3 In addition, \$138,000,000 to be derived from admin-
4 istration fees in excess of \$5.00 per supplementary pay-
5 ment collected pursuant to section 1616(d) of the Social
6 Security Act or section 212(b)(3) of Public Law 93–66,
7 which shall remain available until expended: *Provided*,
8 That to the extent that the amounts collected pursuant
9 to such sections in fiscal year 2022 exceed \$138,000,000,
10 the amounts shall be available in fiscal year 2023 only
11 to the extent provided in advance in appropriations Acts.

12 In addition, up to \$1,000,000 to be derived from fees
13 collected pursuant to section 303(c) of the Social Security
14 Protection Act, which shall remain available until ex-
15 pended.

16 OFFICE OF INSPECTOR GENERAL
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, \$32,000,000, together with not to
21 exceed \$80,000,000, to be transferred and expended as
22 authorized by section 201(g)(1) of the Social Security Act
23 from the Federal Old-Age and Survivors Insurance Trust
24 Fund and the Federal Disability Insurance Trust Fund:
25 *Provided*, That \$2,000,000 shall remain available until ex-

1 pending for information technology modernization, includ-
2 ing related hardware and software infrastructure and
3 equipment, and for administrative expenses directly asso-
4 ciate with information technology modernization.

5 In addition, an amount not to exceed 3 percent of
6 the total provided in this appropriation may be transferred
7 from the “Limitation on Administrative Expenses”, Social
8 Security Administration, to be merged with this account,
9 to be available for the time and purposes for which this
10 account is available: *Provided*, That notice of such trans-
11 fers shall be transmitted promptly to the Committees on
12 Appropriations of the House of Representatives and the
13 Senate at least 15 days in advance of any transfer.

14 TITLE V

15 GENERAL PROVISIONS

16 (TRANSFER OF FUNDS)

17 SEC. 501. The Secretaries of Labor, Health and
18 Human Services, and Education are authorized to transfer
19 unexpended balances of prior appropriations to accounts
20 corresponding to current appropriations provided in this
21 Act. Such transferred balances shall be used for the same
22 purpose, and for the same periods of time, for which they
23 were originally appropriated.

1 SEC. 502. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 503. (a) No part of any appropriation contained
5 in this Act or transferred pursuant to section 4002 of
6 Public Law 111–148 shall be used, other than for normal
7 and recognized executive-legislative relationships, for pub-
8 licity or propaganda purposes, for the preparation, dis-
9 tribution, or use of any kit, pamphlet, booklet, publication,
10 electronic communication, radio, television, or video pres-
11 entation designed to support or defeat the enactment of
12 legislation before the Congress or any State or local legis-
13 lature or legislative body, except in presentation to the
14 Congress or any State or local legislature itself, or de-
15 signed to support or defeat any proposed or pending regu-
16 lation, administrative action, or order issued by the execu-
17 tive branch of any State or local government, except in
18 presentation to the executive branch of any State or local
19 government itself.

20 (b) No part of any appropriation contained in this
21 Act or transferred pursuant to section 4002 of Public Law
22 111–148 shall be used to pay the salary or expenses of
23 any grant or contract recipient, or agent acting for such
24 recipient, related to any activity designed to influence the
25 enactment of legislation, appropriations, regulation, ad-

1 ministrative action, or Executive order proposed or pend-
2 ing before the Congress or any State government, State
3 legislature or local legislature or legislative body, other
4 than for normal and recognized executive-legislative rela-
5 tionships or participation by an agency or officer of a
6 State, local or tribal government in policymaking and ad-
7 ministrative processes within the executive branch of that
8 government.

9 (c) The prohibitions in subsections (a) and (b) shall
10 include any activity to advocate or promote any proposed,
11 pending or future Federal, State or local tax increase, or
12 any proposed, pending, or future requirement or restric-
13 tion on any legal consumer product, including its sale or
14 marketing, including but not limited to the advocacy or
15 promotion of gun control.

16 SEC. 504. The Secretaries of Labor and Education
17 are authorized to make available not to exceed \$28,000
18 and \$20,000, respectively, from funds available for sala-
19 ries and expenses under titles I and III, respectively, for
20 official reception and representation expenses; the Direc-
21 tor of the Federal Mediation and Conciliation Service is
22 authorized to make available for official reception and rep-
23 resentation expenses not to exceed \$5,000 from the funds
24 available for “Federal Mediation and Conciliation Service,
25 Salaries and Expenses”; and the Chairman of the Na-

1 tional Mediation Board is authorized to make available for
2 official reception and representation expenses not to ex-
3 ceed \$5,000 from funds available for “National Mediation
4 Board, Salaries and Expenses”.

5 SEC. 505. When issuing statements, press releases,
6 requests for proposals, bid solicitations and other docu-
7 ments describing projects or programs funded in whole or
8 in part with Federal money, all grantees receiving Federal
9 funds included in this Act, including but not limited to
10 State and local governments and recipients of Federal re-
11 search grants, shall clearly state—

12 (1) the percentage of the total costs of the pro-
13 gram or project which will be financed with Federal
14 money;

15 (2) the dollar amount of Federal funds for the
16 project or program; and

17 (3) percentage and dollar amount of the total
18 costs of the project or program that will be financed
19 by non-governmental sources.

20 SEC. 506. (a) None of the funds made available in
21 this Act may be used for—

22 (1) the creation of a human embryo or embryos
23 for research purposes; or

24 (2) research in which a human embryo or em-
25 bryos are destroyed, discarded, or knowingly sub-

1 jected to risk of injury or death greater than that
2 allowed for research on fetuses in utero under 45
3 CFR 46.204(b) and section 498(b) of the Public
4 Health Service Act (42 U.S.C. 289g(b)).

5 (b) For purposes of this section, the term “human
6 embryo or embryos” includes any organism, not protected
7 as a human subject under 45 CFR 46 as of the date of
8 the enactment of this Act, that is derived by fertilization,
9 parthenogenesis, cloning, or any other means from one or
10 more human gametes or human diploid cells.

11 SEC. 507. (a) None of the funds made available in
12 this Act may be used for any activity that promotes the
13 legalization of any drug or other substance included in
14 schedule I of the schedules of controlled substances estab-
15 lished under section 202 of the Controlled Substances Act
16 except for normal and recognized executive-congressional
17 communications.

18 (b) The limitation in subsection (a) shall not apply
19 when there is significant medical evidence of a therapeutic
20 advantage to the use of such drug or other substance or
21 that federally sponsored clinical trials are being conducted
22 to determine therapeutic advantage.

23 SEC. 508. None of the funds made available in this
24 Act may be obligated or expended to enter into or renew
25 a contract with an entity if—

1 (1) such entity is otherwise a contractor with
2 the United States and is subject to the requirement
3 in 38 U.S.C. 4212(d) regarding submission of an
4 annual report to the Secretary of Labor concerning
5 employment of certain veterans; and

6 (2) such entity has not submitted a report as
7 required by that section for the most recent year for
8 which such requirement was applicable to such enti-
9 ty.

10 SEC. 509. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except
13 pursuant to a transfer made by, or transfer authority pro-
14 vided in, this Act or any other appropriation Act.

15 SEC. 510. None of the funds made available by this
16 Act to carry out the Library Services and Technology Act
17 may be made available to any library covered by para-
18 graph (1) of section 224(f) of such Act, as amended by
19 the Children's Internet Protection Act, unless such library
20 has made the certifications required by paragraph (4) of
21 such section.

22 SEC. 511. (a) None of the funds provided under this
23 Act, or provided under previous appropriations Acts to the
24 agencies funded by this Act that remain available for obli-
25 gation or expenditure in fiscal year 2022, or provided from

1 any accounts in the Treasury of the United States derived
2 by the collection of fees available to the agencies funded
3 by this Act, shall be available for obligation or expenditure
4 through a reprogramming of funds that—

5 (1) creates new programs;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel by any means
8 for any project or activity for which funds have been
9 denied or restricted;

10 (4) relocates an office or employees;

11 (5) reorganizes or renames offices;

12 (6) reorganizes programs or activities; or

13 (7) contracts out or privatizes any functions or
14 activities presently performed by Federal employees;

15 unless the Committees on Appropriations of the House of
16 Representatives and the Senate are consulted 15 days in
17 advance of such reprogramming or of an announcement
18 of intent relating to such reprogramming, whichever oc-
19 curs earlier, and are notified in writing 10 days in advance
20 of such reprogramming.

21 (b) None of the funds provided under this Act, or
22 provided under previous appropriations Acts to the agen-
23 cies funded by this Act that remain available for obligation
24 or expenditure in fiscal year 2022, or provided from any
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by
2 this Act, shall be available for obligation or expenditure
3 through a reprogramming of funds in excess of \$500,000
4 or 10 percent, whichever is less, that—

5 (1) augments existing programs, projects (in-
6 cluding construction projects), or activities;

7 (2) reduces by 10 percent funding for any exist-
8 ing program, project, or activity, or numbers of per-
9 sonnel by 10 percent as approved by Congress; or

10 (3) results from any general savings from a re-
11 duction in personnel which would result in a change
12 in existing programs, activities, or projects as ap-
13 proved by Congress;

14 unless the Committees on Appropriations of the House of
15 Representatives and the Senate are consulted 15 days in
16 advance of such reprogramming or of an announcement
17 of intent relating to such reprogramming, whichever oc-
18 curs earlier, and are notified in writing 10 days in advance
19 of such reprogramming.

20 SEC. 512. (a) None of the funds made available in
21 this Act may be used to request that a candidate for ap-
22 pointment to a Federal scientific advisory committee dis-
23 close the political affiliation or voting history of the can-
24 didate or the position that the candidate holds with re-

1 spect to political issues not directly related to and nec-
2 essary for the work of the committee involved.

3 (b) None of the funds made available in this Act may
4 be used to disseminate information that is deliberately
5 false or misleading.

6 SEC. 513. Within 45 days of enactment of this Act,
7 each department and related agency funded through this
8 Act shall submit an operating plan that details at the pro-
9 gram, project, and activity level any funding allocations
10 for fiscal year 2022 that are different than those specified
11 in this Act, the report accompanying this Act, or the fiscal
12 year 2022 budget request.

13 SEC. 514. The Secretaries of Labor, Health and
14 Human Services, and Education shall each prepare and
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report on the number
17 and amount of contracts, grants, and cooperative agree-
18 ments exceeding \$500,000, individually or in total for a
19 particular project, activity, or programmatic initiative, in
20 value and awarded by the Department on a non-competi-
21 tive basis during each quarter of fiscal year 2022, but not
22 to include grants awarded on a formula basis or directed
23 by law. Such report shall include the name of the con-
24 tractor or grantee, the amount of funding, the govern-
25 mental purpose, including a justification for issuing the

1 award on a non-competitive basis. Such report shall be
2 transmitted to the Committees within 30 days after the
3 end of the quarter for which the report is submitted.

4 SEC. 515. None of the funds appropriated in this Act
5 shall be expended or obligated by the Commissioner of So-
6 cial Security, for purposes of administering Social Security
7 benefit payments under title II of the Social Security Act,
8 to process any claim for credit for a quarter of coverage
9 based on work performed under a social security account
10 number that is not the claimant's number and the per-
11 formance of such work under such number has formed the
12 basis for a conviction of the claimant of a violation of sec-
13 tion 208(a)(6) or (7) of the Social Security Act.

14 SEC. 516. None of the funds appropriated by this Act
15 may be used by the Commissioner of Social Security or
16 the Social Security Administration to pay the compensa-
17 tion of employees of the Social Security Administration
18 to administer Social Security benefit payments, under any
19 agreement between the United States and Mexico estab-
20 lishing totalization arrangements between the social secu-
21 rity system established by title II of the Social Security
22 Act and the social security system of Mexico, which would
23 not otherwise be payable but for such agreement.

24 SEC. 517. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

3 (b) Nothing in subsection (a) shall limit the use of
4 funds necessary for any Federal, State, tribal, or local law
5 enforcement agency or any other entity carrying out crimi-
6 nal investigations, prosecution, or adjudication activities.

7 SEC. 518. For purposes of carrying out Executive
8 Order 13589, Office of Management and Budget Memo-
9 randum M-12-12 dated May 11, 2012, and requirements
10 contained in the annual appropriations bills relating to
11 conference attendance and expenditures:

12 (1) the operating divisions of HHS shall be con-
13 sidered independent agencies; and

14 (2) attendance at and support for scientific con-
15 ferences shall be tabulated separately from and not
16 included in agency totals.

17 SEC. 519. Federal agencies funded under this Act
18 shall clearly state within the text, audio, or video used for
19 advertising or educational purposes, including emails or
20 Internet postings, that the communication is printed, pub-
21 lished, or produced and disseminated at U.S. taxpayer ex-
22 pense. The funds used by a Federal agency to carry out
23 this requirement shall be derived from amounts made
24 available to the agency for advertising or other commu-

1 nications regarding the programs and activities of the
2 agency.

3 SEC. 520. (a) Federal agencies may use Federal dis-
4 cretionary funds that are made available in this Act to
5 carry out up to 10 Performance Partnership Pilots. Such
6 Pilots shall be governed by the provisions of section 526
7 of division H of Public Law 113–76, except that in car-
8 rying out such Pilots section 526 shall be applied by sub-
9 stituting “FISCAL YEAR 2022” for “FISCAL YEAR 2014”
10 in the title of subsection (b) and by substituting “Sep-
11 tember 30, 2026” for “September 30, 2018” each place
12 it appears: *Provided*, That such pilots shall include com-
13 munities that have experienced civil unrest.

14 (b) In addition, Federal agencies may use Federal
15 discretionary funds that are made available in this Act to
16 participate in Performance Partnership Pilots that are
17 being carried out pursuant to the authority provided by
18 section 526 of division H of Public Law 113–76, section
19 524 of division G of Public Law 113–235, section 525 of
20 division H of Public Law 114–113, section 525 of division
21 H of Public Law 115–31, section 525 of division H of
22 Public Law 115–141, and section 524 of division A of
23 Public Law 116–94.

24 (c) Pilot sites selected under authorities in this Act
25 and prior appropriations Acts may be granted by relevant

1 agencies up to an additional 5 years to operate under such
2 authorities.

3 SEC. 521. Not later than 30 days after the end of
4 each calendar quarter, beginning with the first month of
5 fiscal year 2022 the Departments of Labor, Health and
6 Human Services and Education and the Social Security
7 Administration shall provide the Committees on Appro-
8 priations of the House of Representatives and Senate a
9 report on the status of balances of appropriations: *Pro-*
10 *vided*, That for balances that are unobligated and uncom-
11 mitted, committed, and obligated but unexpended, the
12 monthly reports shall separately identify the amounts at-
13 tributable to each source year of appropriation (beginning
14 with fiscal year 2012, or, to the extent feasible, earlier
15 fiscal years) from which balances were derived.

16 SEC. 522. The Departments of Labor, Health and
17 Human Services, or Education shall provide to the Com-
18 mittees on Appropriations of the House of Representatives
19 and the Senate a comprehensive list of any new or com-
20 petitive grant award notifications, including supplements,
21 issued at the discretion of such Departments not less than
22 3 full business days before any entity selected to receive
23 a grant award is announced by the Department or its of-
24 fices (other than emergency response grants at any time
25 of the year or for grant awards made during the last 10

1 business days of the fiscal year, or if applicable, of the
2 program year).

3 SEC. 523. Each department and related agency fund-
4 ed through this Act shall provide answers to questions
5 submitted for the record by members of the Committee
6 within 45 business days after receipt.

7 SEC. 524. Of amounts deposited in the Child Enroll-
8 ment Contingency Fund under section 2104(n)(2) of the
9 Social Security Act and the income derived from invest-
10 ment of those funds pursuant to section 2104(n)(2)(C) of
11 that Act, \$13,715,000,000 shall not be available for obli-
12 gation in this fiscal year.

13 SEC. 525. None of the funds appropriated in this Act
14 may be used to implement or enforce the final rule entitled
15 “Hearings Held by Administrative Appeals Judges of the
16 Appeals Council” (85 Fed. Reg. 73138, December 16,
17 2020).

18 SEC. 526. None of the funds made available by this
19 Act may be made available to the Wuhan Institute of Vi-
20 rology located in the City of Wuhan in the People’s Repub-
21 lic of China.

22 SEC. 527. None of the funds made available by this
23 Act may be used, either directly or indirectly, to conduct
24 or support any gain-of-function research involving a poten-

1 tial pandemic pathogen by a foreign adversary including
2 China, Russia, Iran, and North Korea.

3 This division may be cited as the “Departments of
4 Labor, Health and Human Services, and Education, and
5 Related Agencies Appropriations Act, 2022”.

1 DIVISION B—AGRICULTURE, RURAL DE-
2 VELOPMENT, FOOD AND DRUG ADMIN-
3 ISTRATION, AND RELATED AGENCIES
4 APPROPRIATIONS ACT, 2022

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PROCESSING, RESEARCH, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$64,755,000, of which not to exceed \$10,203,000 shall be
12 available for the immediate Office of the Secretary, of
13 which \$4,500,000 shall remain available until expended
14 for activities relating to climate change, including coordi-
15 nating such activities across the Department; not to ex-
16 ceed \$4,749,000 shall be available for the Office of Home-
17 land Security; not to exceed \$2,860,000 shall be available
18 for the Office of Tribal Relations; not to exceed
19 \$9,294,000 shall be available for the Office of Partner-
20 ships and Public Engagement, of which \$1,500,000 shall
21 be for 7 U.S.C. 2279(c)(5); not to exceed \$1,649,000 shall
22 be available for the Office of the Assistant Secretary for
23 Administration; not to exceed \$24,036,000 shall be avail-
24 able for Departmental Administration to provide for nec-
25 essary expenses for management support services to of-

1 fices of the Department and for general administration,
2 security, repairs and alterations, and other miscellaneous
3 supplies and expenses not otherwise provided for and nec-
4 essary for the practical and efficient work of the Depart-
5 ment: *Provided*, That funds made available by this Act to
6 an agency in the Administration mission area for salaries
7 and expenses are available to fund up to one administra-
8 tive support staff for the Office; not to exceed \$4,480,000
9 shall be available for the Office of Assistant Secretary for
10 Congressional Relations and Intergovernmental Affairs to
11 carry out the programs funded by this Act, including pro-
12 grams involving intergovernmental affairs and liaison
13 within the executive branch; and not to exceed \$7,484,000
14 shall be available for the Office of Communications: *Pro-*
15 *vided further*, That the Secretary of Agriculture is author-
16 ized to transfer funds appropriated for any office of the
17 Office of the Secretary to any other office of the Office
18 of the Secretary: *Provided further*, That no appropriation
19 for any office shall be increased or decreased by more than
20 5 percent: *Provided further*, That not to exceed \$22,000
21 of the amount made available under this paragraph for
22 the immediate Office of the Secretary shall be available
23 for official reception and representation expenses, not oth-
24 erwise provided for, as determined by the Secretary: *Pro-*
25 *vided further*, That the amount made available under this

1 heading for Departmental Administration shall be reim-
2 bursed from applicable appropriations in this Act for trav-
3 el expenses incident to the holding of hearings as required
4 by 5 U.S.C. 551–558: *Provided further*, That funds made
5 available under this heading for the Office of the Assistant
6 Secretary for Congressional Relations and Intergovern-
7 mental Affairs shall be transferred to agencies of the De-
8 partment of Agriculture funded by this Act to maintain
9 personnel at the agency level: *Provided further*, That dur-
10 ing any 30 day notification period referenced in section
11 716 of this Act, the Secretary of Agriculture shall take
12 no action to begin implementation of the action that is
13 subject to section 716 of this Act or make any public an-
14 nouncement of such action in any form.

15 EXECUTIVE OPERATIONS

16 OFFICE OF THE CHIEF ECONOMIST

17 For necessary expenses of the Office of the Chief
18 Economist, \$26,399,000, of which not more than
19 \$5,000,000 shall be for grants or cooperative agreements
20 for policy research under 7 U.S.C. 3155, and of which
21 \$4,400,000 shall remain available until expended for ac-
22 tivities relating to climate change, including coordinating
23 such activities across the Department.

1 OFFICE OF HEARINGS AND APPEALS

2 For necessary expenses of the Office of Hearings and
3 Appeals, \$16,173,000.

4 OFFICE OF BUDGET AND PROGRAM ANALYSIS

5 For necessary expenses of the Office of Budget and
6 Program Analysis, \$12,760,000.

7 OFFICE OF THE CHIEF INFORMATION OFFICER

8 For necessary expenses of the Office of the Chief In-
9 formation Officer, \$84,746,000, of which not less than
10 \$69,672,000 is for cybersecurity requirements of the de-
11 partment.

12 OFFICE OF THE CHIEF FINANCIAL OFFICER

13 For necessary expenses of the Office of the Chief Fi-
14 nancial Officer, \$7,118,000.

15 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

16 RIGHTS

17 For necessary expenses of the Office of the Assistant
18 Secretary for Civil Rights, \$1,426,000: *Provided*, That
19 funds made available by this Act to an agency in the Civil
20 Rights mission area for salaries and expenses are available
21 to fund up to one administrative support staff for the Of-
22 fice.

23 OFFICE OF CIVIL RIGHTS

24 For necessary expenses of the Office of Civil Rights,
25 \$35,328,000.

1 AGRICULTURE BUILDINGS AND FACILITIES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For payment of space rental and related costs pursu-
4 ant to Public Law 92–313, including authorities pursuant
5 to the 1984 delegation of authority from the Adminis-
6 trator of General Services to the Department of Agri-
7 culture under 40 U.S.C. 121, for programs and activities
8 of the Department which are included in this Act, and for
9 alterations and other actions needed for the Department
10 and its agencies to consolidate unneeded space into con-
11 figurations suitable for release to the Administrator of
12 General Services, and for the operation, maintenance, im-
13 provement, and repair of Agriculture buildings and facili-
14 ties, and for related costs, \$180,623,000, to remain avail-
15 able until expended, of which \$12,500,000 shall be avail-
16 able for the hire and purchase of passenger motor vehicles.

17 HAZARDOUS MATERIALS MANAGEMENT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Department of Agri-
20 culture, to comply with the Comprehensive Environmental
21 Response, Compensation, and Liability Act (42 U.S.C.
22 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
23 6901 et seq.), \$8,540,000, to remain available until ex-
24 pended: *Provided*, That appropriations and funds available
25 herein to the Department for Hazardous Materials Man-

1 agement may be transferred to any agency of the Depart-
2 ment for its use in meeting all requirements pursuant to
3 the above Acts on Federal and non-Federal lands.

4 OFFICE OF SAFETY, SECURITY, AND PROTECTION

5 For necessary expenses of the Office of Safety, Secu-
6 rity, and Protection, \$23,306,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General, including employment pursuant to the Inspector
10 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
11 \$106,309,000, including such sums as may be necessary
12 for contracting and other arrangements with public agen-
13 cies and private persons pursuant to section 6(a)(9) of the
14 Inspector General Act of 1978 (Public Law 95–452; 5
15 U.S.C. App.), and including not to exceed \$125,000 for
16 certain confidential operational expenses, including the
17 payment of informants, to be expended under the direction
18 of the Inspector General pursuant to the Inspector Gen-
19 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
20 section 1337 of the Agriculture and Food Act of 1981
21 (Public Law 97–98).

22 OFFICE OF THE GENERAL COUNSEL

23 For necessary expenses of the Office of the General
24 Counsel, \$60,723,000.

1 OFFICE OF ETHICS

2 For necessary expenses of the Office of Ethics,
3 \$4,277,000.

4 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
5 EDUCATION, AND ECONOMICS

6 For necessary expenses of the Office of the Under
7 Secretary for Research, Education, and Economics,
8 \$4,327,000: *Provided*, That funds made available by this
9 Act to an agency in the Research, Education, and Eco-
10 nomics mission area for salaries and expenses are avail-
11 able to fund up to one administrative support staff for
12 the Office: *Provided further*, That of the amounts made
13 available under this heading, \$2,000,000 shall be made
14 available for the Office of the Chief Scientist.

15 ECONOMIC RESEARCH SERVICE

16 For necessary expenses of the Economic Research
17 Service, \$88,594,000.

18 NATIONAL AGRICULTURAL STATISTICS SERVICE

19 For necessary expenses of the National Agricultural
20 Statistics Service, \$189,175,000, of which up to
21 \$46,850,000 shall be available until expended for the Cen-
22 sus of Agriculture: *Provided*, That amounts made available
23 for the Census of Agriculture may be used to conduct Cur-
24 rent Industrial Report surveys subject to 7 U.S.C.
25 2204g(d) and (f).

1 AGRICULTURAL RESEARCH SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Agricultural Research
4 Service and for acquisition of lands by donation, exchange,
5 or purchase at a nominal cost not to exceed \$100, and
6 for land exchanges where the lands exchanged shall be of
7 equal value or shall be equalized by a payment of money
8 to the grantor which shall not exceed 25 percent of the
9 total value of the land or interests transferred out of Fed-
10 eral ownership, \$1,638,046,000, of which \$70,000,000 is
11 for activities related to climate change, including
12 \$50,000,000 for climate science and \$20,000,000 for
13 clean energy: *Provided*, That appropriations hereunder
14 shall be available for the operation and maintenance of
15 aircraft and the purchase of not to exceed one for replace-
16 ment only: *Provided further*, That appropriations here-
17 under shall be available pursuant to 7 U.S.C. 2250 for
18 the construction, alteration, and repair of buildings and
19 improvements, but unless otherwise provided, the cost of
20 constructing any one building shall not exceed \$500,000,
21 except for headhouses or greenhouses which shall each be
22 limited to \$1,800,000, except for 10 buildings to be con-
23 structed or improved at a cost not to exceed \$1,100,000
24 each, and except for four buildings to be constructed at
25 a cost not to exceed \$5,000,000 each, and the cost of alter-

1 ing any one building during the fiscal year shall not exceed
2 10 percent of the current replacement value of the build-
3 ing or \$500,000, whichever is greater: *Provided further,*
4 That appropriations hereunder shall be available for enter-
5 ing into lease agreements at any Agricultural Research
6 Service location for the construction of a research facility
7 by a non-Federal entity for use by the Agricultural Re-
8 search Service and a condition of the lease shall be that
9 any facility shall be owned, operated, and maintained by
10 the non-Federal entity and shall be removed upon the ex-
11 piration or termination of the lease agreement: *Provided*
12 *further,* That the limitations on alterations contained in
13 this Act shall not apply to modernization or replacement
14 of existing facilities at Beltsville, Maryland: *Provided fur-*
15 *ther,* That appropriations hereunder shall be available for
16 granting easements at the Beltsville Agricultural Research
17 Center: *Provided further,* That the foregoing limitations
18 shall not apply to replacement of buildings needed to carry
19 out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided*
20 *further,* That appropriations hereunder shall be available
21 for granting easements at any Agricultural Research Serv-
22 ice location for the construction of a research facility by
23 a non-Federal entity for use by, and acceptable to, the
24 Agricultural Research Service and a condition of the ease-
25 ments shall be that upon completion the facility shall be

1 accepted by the Secretary, subject to the availability of
2 funds herein, if the Secretary finds that acceptance of the
3 facility is in the interest of the United States: *Provided*
4 *further*, That funds may be received from any State, other
5 political subdivision, organization, or individual for the
6 purpose of establishing or operating any research facility
7 or research project of the Agricultural Research Service,
8 as authorized by law.

9 BUILDINGS AND FACILITIES

10 For the acquisition of land, construction, repair, im-
11 provement, extension, alteration, and purchase of fixed
12 equipment or facilities as necessary to carry out the agri-
13 cultural research programs of the Department of Agri-
14 culture, where not otherwise provided, \$126,505,000 to re-
15 main available until expended, of which \$20,000,000 shall
16 be allocated for ARS facilities co-located with university
17 partners, and of which \$46,700,000 shall be for the pur-
18 poses, and in the amounts, specified for this account in
19 the table titled “Community Project Funding” in the re-
20 port to accompany this Act, in accordance with applicable
21 statutory and regulatory requirements.

22 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

23 RESEARCH AND EDUCATION ACTIVITIES

24 For payments to agricultural experiment stations, for
25 cooperative forestry and other research, for facilities, and

1 for other expenses, \$1,061,309,000, which shall be for the
2 purposes, and in the amounts, specified in the table titled
3 “National Institute of Food and Agriculture, Research
4 and Education Activities” in the report accompanying this
5 Act: *Provided*, That funds for research grants for 1994
6 institutions, education grants for 1890 institutions, His-
7 panic serving institutions education grants, capacity build-
8 ing for non-land-grant colleges of agriculture, the agri-
9 culture and food research initiative, veterinary medicine
10 loan repayment, multicultural scholars, graduate fellow-
11 ship and institution challenge grants, grants management
12 systems, tribal colleges education equity grants, and schol-
13 arships at 1890 institutions shall remain available until
14 expended: *Provided further*, That each institution eligible
15 to receive funds under the Evans-Allen program receives
16 no less than \$1,000,000: *Provided further*, That funds for
17 education grants for Alaska Native and Native Hawaiian-
18 serving institutions be made available to individual eligible
19 institutions or consortia of eligible institutions with funds
20 awarded equally to each of the States of Alaska and Ha-
21 waii: *Provided further*, That funds for providing grants for
22 food and agricultural sciences for Alaska Native and Na-
23 tive Hawaiian-Serving institutions and for Insular Areas
24 shall remain available until September 30, 2023: *Provided*
25 *further*, That funds for education grants for 1890 institu-

1 tions shall be made available to institutions eligible to re-
2 ceive funds under 7 U.S.C. 3221 and 3222: *Provided fur-*
3 *ther*, That not more than 5 percent of the amounts made
4 available by this or any other Act to carry out the Agri-
5 culture and Food Research Initiative under 7 U.S.C. 3157
6 may be retained by the Secretary of Agriculture to pay
7 administrative costs incurred by the Secretary in carrying
8 out that authority: *Provided further*, That of amounts
9 available under this heading, \$35,000,000 shall be for cli-
10 mate change research.

11 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

12 For the Native American Institutions Endowment
13 Fund authorized by Public Law 103–382 (7 U.S.C. 301
14 note), \$11,880,000, to remain available until expended.

15 EXTENSION ACTIVITIES

16 For payments to States, the District of Columbia,
17 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
18 Northern Marianas, and American Samoa, \$553,495,000,
19 which shall be for the purposes, and in the amounts, speci-
20 fied in the table titled “National Institute of Food and
21 Agriculture, Extension Activities” in the report accom-
22 panying this Act: *Provided*, That funds for extension serv-
23 ices at 1994 institutions and for facility improvements at
24 1890 institutions shall remain available until expended:
25 *Provided further*, That institutions eligible to receive funds

1 under 7 U.S.C. 3221 for cooperative extension receive no
2 less than \$1,000,000: *Provided further*, That funds for co-
3 operative extension under sections 3(b) and (c) of the
4 Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section
5 208(c) of Public Law 93–471 shall be available for retire-
6 ment and employees’ compensation costs for extension
7 agents.

8 INTEGRATED ACTIVITIES

9 For the integrated research, education, and extension
10 grants programs, including necessary administrative ex-
11 penses, \$40,000,000, which shall be for the purposes, and
12 in the amounts, specified in the table titled “National In-
13 stitute of Food and Agriculture, Integrated Activities” in
14 the report accompanying this Act: *Provided*, That funds
15 for the Food and Agriculture Defense Initiative shall re-
16 main available until September 30, 2023: *Provided further*,
17 That notwithstanding any other provision of law, indirect
18 costs shall not be charged against any Extension Imple-
19 mentation Program Area grant awarded under the Crop
20 Protection/Pest Management Program (7 U.S.C. 7626).

21 OFFICE OF THE UNDER SECRETARY FOR MARKETING
22 AND REGULATORY PROGRAMS

23 For necessary expenses of the Office of the Under
24 Secretary for Marketing and Regulatory Programs,
25 \$1,577,000: *Provided*, That funds made available by this

1 Act to an agency in the Marketing and Regulatory Pro-
2 grams mission area for salaries and expenses are available
3 to fund up to one administrative support staff for the Of-
4 fice.

5 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Animal and Plant
9 Health Inspection Service, including up to \$30,000 for
10 representation allowances and for expenses pursuant to
11 the Foreign Service Act of 1980 (22 U.S.C. 4085),
12 \$1,121,427,000, of which \$491,000, to remain available
13 until expended, shall be available for the control of out-
14 breaks of insects, plant diseases, animal diseases and for
15 control of pest animals and birds (“contingency fund”) to
16 the extent necessary to meet emergency conditions; of
17 which \$16,830,000, to remain available until expended,
18 shall be used for the cotton pests program, including for
19 cost share purposes or for debt retirement for active eradi-
20 cation zones; of which \$38,486,000, to remain available
21 until expended, shall be for Animal Health Technical Serv-
22 ices; of which \$3,040,000 shall be for activities under the
23 authority of the Horse Protection Act of 1970, as amend-
24 ed (15 U.S.C. 1831); of which \$63,833,000, to remain
25 available until expended, shall be used to support avian

1 health; of which \$4,251,000, to remain available until ex-
2 pended, shall be for information technology infrastructure;
3 of which \$212,842,000, to remain available until ex-
4 pended, shall be for specialty crop pests; of which,
5 \$14,137,000, to remain available until expended, shall be
6 for field crop and rangeland ecosystem pests; of which
7 \$24,282,000, to remain available until expended, shall be
8 for zoonotic disease management; of which \$38,880,000,
9 to remain available until expended, shall be for emergency
10 preparedness and response; of which \$61,217,000, to re-
11 main available until expended, shall be for tree and wood
12 pests; of which \$5,751,000, to remain available until ex-
13 pended, shall be for the National Veterinary Stockpile; of
14 which \$5,000,000, to remain available until expended,
15 shall be for invasive species control in coordination with
16 other Federal agencies and the Civilian Climate Corps; of
17 which up to \$1,500,000, to remain available until ex-
18 pended, shall be for the scrapie program for indemnities;
19 of which \$2,500,000, to remain available until expended,
20 shall be for the wildlife damage management program for
21 aviation safety: *Provided*, That of amounts available under
22 this heading for wildlife services methods development,
23 \$1,000,000 shall remain available until expended: *Pro-*
24 *vided further*, That of amounts available under this head-
25 ing for the screwworm program, \$4,990,000 shall remain

1 available until expended; of which \$21,307,000, to remain
2 available until expended, shall be used to carry out the
3 science program and transition activities for the National
4 Bio and Agro-defense Facility located in Manhattan, Kan-
5 sas: *Provided further*, That no funds shall be used to for-
6 mulate or administer a brucellosis eradication program for
7 the current fiscal year that does not require minimum
8 matching by the States of at least 40 percent: *Provided*
9 *further*, That this appropriation shall be available for the
10 purchase, replacement, operation, and maintenance of air-
11 craft: *Provided further*, That in addition, in emergencies
12 which threaten any segment of the agricultural production
13 industry of the United States, the Secretary may transfer
14 from other appropriations or funds available to the agen-
15 cies or corporations of the Department such sums as may
16 be deemed necessary, to be available only in such emer-
17 gencies for the arrest and eradication of contagious or in-
18 fectious disease or pests of animals, poultry, or plants, and
19 for expenses in accordance with sections 10411 and 10417
20 of the Animal Health Protection Act (7 U.S.C. 8310 and
21 8316) and sections 431 and 442 of the Plant Protection
22 Act (7 U.S.C. 7751 and 7772), and any unexpended bal-
23 ances of funds transferred for such emergency purposes
24 in the preceding fiscal year shall be merged with such
25 transferred amounts: *Provided further*, That appropria-

1 tions hereunder shall be available pursuant to law (7
2 U.S.C. 2250) for the repair and alteration of leased build-
3 ings and improvements, but unless otherwise provided the
4 cost of altering any one building during the fiscal year
5 shall not exceed 10 percent of the current replacement
6 value of the building.

7 In fiscal year 2022, the agency is authorized to collect
8 fees to cover the total costs of providing technical assist-
9 ance, goods, or services requested by States, other political
10 subdivisions, domestic and international organizations,
11 foreign governments, or individuals, provided that such
12 fees are structured such that any entity's liability for such
13 fees is reasonably based on the technical assistance, goods,
14 or services provided to the entity by the agency, and such
15 fees shall be reimbursed to this account, to remain avail-
16 able until expended, without further appropriation, for
17 providing such assistance, goods, or services.

18 BUILDINGS AND FACILITIES

19 For plans, construction, repair, preventive mainte-
20 nance, environmental support, improvement, extension, al-
21 teration, and purchase of fixed equipment or facilities, as
22 authorized by 7 U.S.C. 2250, and acquisition of land as
23 authorized by 7 U.S.C. 2268a, \$3,175,000, to remain
24 available until expended.

1 AGRICULTURAL MARKETING SERVICE

2 MARKETING SERVICES

3 For necessary expenses of the Agricultural Marketing
4 Service, \$223,157,000, of which \$7,000,000 shall be avail-
5 able for the purposes of section 12306 of Public Law 113–
6 79, and of which \$25,000,000 shall be available until ex-
7 pended to carry out section 12513 of Public Law 115–
8 334: *Provided*, That this appropriation shall be available
9 pursuant to law (7 U.S.C. 2250) for the alteration and
10 repair of buildings and improvements, but the cost of al-
11 tering any one building during the fiscal year shall not
12 exceed 10 percent of the current replacement value of the
13 building.

14 Fees may be collected for the cost of standardization
15 activities, as established by regulation pursuant to law (31
16 U.S.C. 9701), except for the cost of activities relating to
17 the development or maintenance of grain standards under
18 the United States Grain Standards Act, 7 U.S.C. 71 et
19 seq.

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 Not to exceed \$61,786,000 (from fees collected) shall
22 be obligated during the current fiscal year for administra-
23 tive expenses: *Provided*, That if crop size is understated
24 and/or other uncontrollable events occur, the agency may
25 exceed this limitation by up to 10 percent with notification

1 to the Committees on Appropriations of both Houses of
2 Congress.

3 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
4 SUPPLY (SECTION 32)
5 (INCLUDING TRANSFERS OF FUNDS)

6 Funds available under section 32 of the Act of Au-
7 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
8 modity program expenses as authorized therein, and other
9 related operating expenses, except for: (1) transfers to the
10 Department of Commerce as authorized by the Fish and
11 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
12 fers otherwise provided in this Act; and (3) not more than
13 \$20,817,000 for formulation and administration of mar-
14 keting agreements and orders pursuant to the Agricultural
15 Marketing Agreement Act of 1937 and the Agricultural
16 Act of 1961 (Public Law 87–128).

17 PAYMENTS TO STATES AND POSSESSIONS

18 For payments to departments of agriculture, bureaus
19 and departments of markets, and similar agencies for
20 marketing activities under section 204(b) of the Agricul-
21 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
22 \$1,235,000.

1 LIMITATION ON INSPECTION AND WEIGHING SERVICES

2 EXPENSES

3 Not to exceed \$55,000,000 (from fees collected) shall
4 be obligated during the current fiscal year for inspection
5 and weighing services: *Provided*, That if grain export ac-
6 tivities require additional supervision and oversight, or
7 other uncontrollable factors occur, this limitation may be
8 exceeded by up to 10 percent with notification to the Com-
9 mittees on Appropriations of both Houses of Congress.

10 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$1,077,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

17 FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,153,064,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of lab-

1 oratory accreditation as authorized by section 1327 of the
2 Food, Agriculture, Conservation and Trade Act of 1990
3 (7 U.S.C. 138f): *Provided*, That funds provided for the
4 Public Health Data Communication Infrastructure system
5 shall remain available until expended: *Provided further*,
6 That no fewer than 148 full-time equivalent positions shall
7 be employed during fiscal year 2022 for purposes dedi-
8 cated solely to inspections and enforcement related to the
9 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
10 seq.): *Provided further*, That the Food Safety and Inspec-
11 tion Service shall continue implementation of section
12 11016 of Public Law 110–246 as further clarified by the
13 amendments made in section 12106 of Public Law 113–
14 79: *Provided further*, That this appropriation shall be
15 available pursuant to law (7 U.S.C. 2250) for the alter-
16 ation and repair of buildings and improvements, but the
17 cost of altering any one building during the fiscal year
18 shall not exceed 10 percent of the current replacement
19 value of the building.

1 TITLE II
2 FARM PRODUCTION AND CONSERVATION
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR FARM
5 PRODUCTION AND CONSERVATION

6 For necessary expenses of the Office of the Under
7 Secretary for Farm Production and Conservation,
8 \$1,687,000: *Provided*, That funds made available by this
9 Act to an agency in the Farm Production and Conserva-
10 tion mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the Of-
12 fice.

13 FARM PRODUCTION AND CONSERVATION BUSINESS
14 CENTER

15 SALARIES AND EXPENSES
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Farm Production and
18 Conservation Business Center, \$238,177,000: *Provided*,
19 That \$60,228,000 of amounts appropriated for the cur-
20 rent fiscal year pursuant to section 1241(a) of the Farm
21 Security and Rural Investment Act of 1985 (16 U.S.C.
22 3841(a)) shall be transferred to and merged with this ac-
23 count.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,175,670,000: *Provided*, That not more than 50 percent
6 of the funding made available under this heading for infor-
7 mation technology related to farm program delivery may
8 be obligated until the Secretary submits to the Committees
9 on Appropriations of both Houses of Congress, and re-
10 ceives written or electronic notification of receipt from
11 such Committees of, a plan for expenditure that (1) identi-
12 fies for each project/investment over \$25,000 (a) the func-
13 tional and performance capabilities to be delivered and the
14 mission benefits to be realized, (b) the estimated lifecycle
15 cost for the entirety of the project/investment, including
16 estimates for development as well as maintenance and op-
17 erations, and (c) key milestones to be met; (2) dem-
18 onstrates that each project/investment is, (a) consistent
19 with the Farm Service Agency Information Technology
20 Roadmap, (b) being managed in accordance with applica-
21 ble lifecycle management policies and guidance, and (c)
22 subject to the applicable Department's capital planning
23 and investment control requirements; and (3) has been re-
24 viewed by the Government Accountability Office and ap-
25 proved by the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That the agency
2 shall submit a report by the end of the fourth quarter of
3 fiscal year 2022 to the Committees on Appropriations and
4 the Government Accountability Office, that identifies for
5 each project/investment that is operational (a) current
6 performance against key indicators of customer satisfac-
7 tion, (b) current performance of service level agreements
8 or other technical metrics, (c) current performance against
9 a pre-established cost baseline, (d) a detailed breakdown
10 of current and planned spending on operational enhance-
11 ments or upgrades, and (e) an assessment of whether the
12 investment continues to meet business needs as intended
13 as well as alternatives to the investment: *Provided further*,
14 That the Secretary is authorized to use the services, facili-
15 ties, and authorities (but not the funds) of the Commodity
16 Credit Corporation to make program payments for all pro-
17 grams administered by the Agency: *Provided further*, That
18 other funds made available to the Agency for authorized
19 activities may be advanced to and merged with this ac-
20 count: *Provided further*, That funds made available to
21 county committees shall remain available until expended:
22 *Provided further*, That none of the funds available to the
23 Farm Service Agency shall be used to close Farm Service
24 Agency county offices: *Provided further*, That none of the
25 funds available to the Farm Service Agency shall be used

1 to permanently relocate county based employees that
2 would result in an office with two or fewer employees with-
3 out prior notification and approval of the Committees on
4 Appropriations of both Houses of Congress.

5 STATE MEDIATION GRANTS

6 For grants pursuant to section 502(b) of the Agricul-
7 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
8 5106), \$6,914,000.

9 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

10 For necessary expenses to carry out wellhead or
11 groundwater protection activities under section 1240O of
12 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
13 \$6,500,000, to remain available until expended.

14 DAIRY INDEMNITY PROGRAM

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses involved in making indemnity
17 payments to dairy farmers and manufacturers of dairy
18 products under a dairy indemnity program, such sums as
19 may be necessary, to remain available until expended: *Pro-*
20 *vided*, That such program is carried out by the Secretary
21 in the same manner as the dairy indemnity program de-
22 scribed in the Agriculture, Rural Development, Food and
23 Drug Administration, and Related Agencies Appropria-
24 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
25 12).

1 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

2 ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), relending program (7 U.S.C. 1936c), and Indian highly fractionated land loans (25 U.S.C. 5136) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$3,500,000,000 for guaranteed farm ownership loans and \$2,800,000,000 for farm ownership direct loans; \$2,118,482,000 for unsubsidized guaranteed operating loans and \$1,633,333,000 for direct operating loans; emergency loans, \$37,668,000; Indian tribe land acquisition loans, \$20,000,000; guaranteed conservation loans, \$150,000,000; relending program, \$61,425,000; Indian highly fractionated land loans, \$5,000,000; and for boll weevil eradication program loans, \$60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

1 For the cost of direct and guaranteed loans and
2 grants, including the cost of modifying loans as defined
3 in section 502 of the Congressional Budget Act of 1974,
4 as follows: \$40,017,000 for direct farm operating loans,
5 \$16,524,000 for unsubsidized guaranteed farm operating
6 loans, \$267,000 for emergency loans, \$5,000,000 for the
7 relending program, and \$407,000 for Indian highly
8 fractionated land loans, to remain available until ex-
9 pended.

10 In addition, for administrative expenses necessary to
11 carry out the direct and guaranteed loan programs,
12 \$314,772,000: *Provided*, That of this amount,
13 \$294,114,000 shall be transferred to and merged with the
14 appropriation for “Farm Service Agency, Salaries and Ex-
15 penses”.

16 Funds appropriated by this Act to the Agricultural
17 Credit Insurance Program Account for farm ownership,
18 operating and conservation direct loans and guaranteed
19 loans may be transferred among these programs: *Pro-*
20 *vided*, That the Committees on Appropriations of both
21 Houses of Congress are notified at least 15 days in ad-
22 vance of any transfer.

1 RISK MANAGEMENT AGENCY

2 SALARIES AND EXPENSES

3 For necessary expenses of the Risk Management
4 Agency, \$66,957,000: *Provided*, That \$1,000,000 of the
5 amount appropriated under this heading in this Act shall
6 be available for compliance and integrity activities re-
7 quired under section 516(b)(2)(C) of the Federal Crop In-
8 surance Act of 1938 (7 U.S.C. 1516(b)(2)(C)), and shall
9 be in addition to amounts otherwise provided for such pur-
10 pose: *Provided further*, That not to exceed \$1,000 shall
11 be available for official reception and representation ex-
12 penses, as authorized by 7 U.S.C. 1506(i): *Provided fur-*
13 *ther*, That \$2,250,000 of the amount appropriated under
14 this heading shall be available to conduct research and de-
15 velopment and carry out contracting and partnerships as
16 described under subsections (c) and (d) of section 522 the
17 Federal Crop Insurance Act of 1938 (7 U.S.C 1522(c) and
18 (d)) in addition to amounts otherwise provided for such
19 purposes: *Provided further*, That \$2,000,000 of the
20 amount appropriated under this heading shall be available
21 to research, review and ensure actuarial soundness of new
22 products addressing climate change.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$894,743,000, to remain available until September 30,
20 2023, of which not less than \$15,000,000 is for climate
21 change-related initiatives, including climate science and
22 climate hubs: *Provided*, That appropriations hereunder
23 shall be available pursuant to 7 U.S.C. 2250 for construc-
24 tion and improvement of buildings and public improve-
25 ments at plant materials centers, except that the cost of

1 alterations and improvements to other buildings and other
2 public improvements shall not exceed \$250,000: *Provided*
3 *further*, That when buildings or other structures are erect-
4 ed on non-Federal land, that the right to use such land
5 is obtained as provided in 7 U.S.C. 2250a: *Provided fur-*
6 *ther*, That of the total amount available, \$9,458,000 shall
7 be available for necessary expenses to carry out the Urban
8 Agriculture and Innovative Production Program under
9 section 222 of subtitle A of title II of the Department of
10 Agriculture Reorganization Act of 1994 (7 U.S.C. 6923),
11 as amended by section 12302 of Public Law 115–334:
12 *Provided further*, That of the total amount available,
13 \$10,000,000 shall remain available until expended for nec-
14 essary expenses to carry out the Healthy Forests Reserve
15 Program under the Healthy Forests Restoration Act of
16 2003 (16 U.S.C 6571–6578).

17 WATERSHED AND FLOOD PREVENTION OPERATIONS

18 For necessary expenses to carry out preventive meas-
19 ures, including but not limited to surveys and investiga-
20 tions, engineering operations, works of improvement, and
21 changes in use of land, in accordance with the Watershed
22 Protection and Flood Prevention Act (16 U.S.C. 1001–
23 1005 and 1007–1009) and in accordance with the provi-
24 sions of laws relating to the activities of the Department,
25 \$160,000,000, to remain available until expended: *Pro-*

1 *vided*, That for funds provided by this Act or any other
2 prior Act, the limitation regarding the size of the water-
3 shed or subwatershed exceeding two hundred and fifty
4 thousand acres in which such activities can be undertaken
5 shall only apply for activities undertaken for the primary
6 purpose of flood prevention (including structural and land
7 treatment measures): *Provided further*, That of the
8 amounts made available under this heading, \$65,000,000
9 shall be allocated to projects and activities that can com-
10 mence promptly following enactment; that address re-
11 gional priorities for flood prevention, agricultural water
12 management, inefficient irrigation systems, fish and wild-
13 life habitat, or watershed protection; or that address au-
14 thorized ongoing projects under the authorities of section
15 13 of the Flood Control Act of December 22, 1944 (Public
16 Law 78–534) with a primary purpose of watershed protec-
17 tion by preventing floodwater damage and stabilizing
18 stream channels, tributaries, and banks to reduce erosion
19 and sediment transport.

20 WATERSHED REHABILITATION PROGRAM

21 Under the authorities of section 14 of the Watershed
22 Protection and Flood Prevention Act, \$10,000,000 is pro-
23 vided.

1 CORPORATIONS

2 The following corporations and agencies are hereby
3 authorized to make expenditures, within the limits of
4 funds and borrowing authority available to each such cor-
5 poration or agency and in accord with law, and to make
6 contracts and commitments without regard to fiscal year
7 limitations as provided by section 104 of the Government
8 Corporation Control Act as may be necessary in carrying
9 out the programs set forth in the budget for the current
10 fiscal year for such corporation or agency, except as here-
11 inafter provided.

12 FEDERAL CROP INSURANCE CORPORATION FUND

13 For payments as authorized by section 516 of the
14 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
15 as may be necessary, to remain available until expended.

16 COMMODITY CREDIT CORPORATION FUND

17 REIMBURSEMENT FOR NET REALIZED LOSSES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the current fiscal year, such sums as may be nec-
20 essary to reimburse the Commodity Credit Corporation for
21 net realized losses sustained, but not previously reim-
22 bursed, pursuant to section 2 of the Act of August 17,
23 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
24 available to the Commodity Credit Corporation under sec-
25 tion 11 of the Commodity Credit Corporation Charter Act

1 (15 U.S.C. 714i) for the conduct of its business with the
2 Foreign Agricultural Service, up to \$5,000,000 may be
3 transferred to and used by the Foreign Agricultural Serv-
4 ice for information resource management activities of the
5 Foreign Agricultural Service that are not related to Com-
6 modity Credit Corporation business.

7 HAZARDOUS WASTE MANAGEMENT

8 (LIMITATION ON EXPENSES)

9 For the current fiscal year, the Commodity Credit
10 Corporation shall not expend more than \$15,000,000 for
11 site investigation and cleanup expenses, and operations
12 and maintenance expenses to comply with the requirement
13 of section 107(g) of the Comprehensive Environmental
14 Response, Compensation, and Liability Act (42 U.S.C.
15 9607(g)), and section 6001 of the Solid Waste Disposal
16 Act (42 U.S.C. 6961).

17 TITLE III

18 RURAL DEVELOPMENT PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR RURAL

20 DEVELOPMENT

21 For necessary expenses of the Office of the Under
22 Secretary for Rural Development, \$1,580,000: *Provided*,
23 That funds made available by this Act to an agency in
24 the Rural Development mission area for salaries and ex-

1 penses are available to fund up to one administrative sup-
2 port staff for the Office.

3 RURAL DEVELOPMENT

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of Rural Development pro-
8 grams, including activities with institutions concerning the
9 development and operation of agricultural cooperatives;
10 and for cooperative agreements; \$348,425,000: *Provided*,
11 That of the amount made available under this heading,
12 \$32,000,000 shall be for the StrikeForce activities of the
13 Department of Agriculture, and may be transferred to
14 agencies of the Department of Agriculture for such pur-
15 pose, consistent with the missions and authorities of such
16 agencies: *Provided further*, That notwithstanding any
17 other provision of law, funds appropriated under this
18 heading may be used for advertising and promotional ac-
19 tivities that support Rural Development programs: *Pro-*
20 *vided further*, That in addition to any other funds appro-
21 priated for purposes authorized by section 502(i) of the
22 Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts
23 collected under such section, as amended by this Act, will
24 immediately be credited to this account and will remain
25 available until expended for such purposes.

1 RURAL HOUSING SERVICE

2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$1,500,000,000
8 shall be for direct loans and \$30,000,000,000 shall be for
9 unsubsidized guaranteed loans; \$28,000,000 for section
10 504 housing repair loans; \$40,000,000 for section 515
11 rental housing; \$230,000,000 for section 538 guaranteed
12 multi-family housing loans; \$10,000,000 for credit sales
13 of single family housing acquired property; \$5,000,000 for
14 section 523 self-help housing land development loans; and
15 \$5,000,000 for section 524 site development loans.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans, as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: section
19 502 loans, \$27,900,000 shall be for direct loans; section
20 504 housing repair loans, \$484,000; section 523 self-help
21 housing land development loans, \$55,000; section 524 site
22 development loans, \$206,000; and repair, rehabilitation,
23 and new construction of section 515 rental housing,
24 \$3,576,000: *Provided*, That to support the loan program
25 level for section 538 guaranteed loans made available

1 under this heading the Secretary may charge or adjust
2 any fees to cover the projected cost of such loan guaran-
3 tees pursuant to the provisions of the Credit Reform Act
4 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
5 loans may not be subsidized: *Provided further*, That appli-
6 cants in communities that have a current rural area waiv-
7 er under section 541 of the Housing Act of 1949 (42
8 U.S.C. 1490q) shall be treated as living in a rural area
9 for purposes of section 502 guaranteed loans provided
10 under this heading: *Provided further*, That of the amounts
11 available under this paragraph for section 502 direct
12 loans, no less than \$5,000,000 shall be available for direct
13 loans for individuals whose homes will be built pursuant
14 to a program funded with a mutual and self-help housing
15 grant authorized by section 523 of the Housing Act of
16 1949 until June 1, 2022: *Provided further*, That the Sec-
17 retary shall implement provisions to provide incentives to
18 nonprofit organizations and public housing authorities to
19 facilitate the acquisition of Rural Housing Service (RHS)
20 multifamily housing properties by such nonprofit organi-
21 zations and public housing authorities that commit to keep
22 such properties in the RHS multifamily housing program
23 for a period of time as determined by the Secretary, with
24 such incentives to include, but not be limited to, the fol-
25 lowing: allow such nonprofit entities and public housing

1 authorities to earn a Return on Investment on their own
2 resources to include proceeds from low income housing tax
3 credit syndication, own contributions, grants, and devel-
4 oper loans at favorable rates and terms, invested in a deal;
5 and allow reimbursement of organizational costs associ-
6 ated with owner's oversight of asset referred to as "Asset
7 Management Fee" of up to \$7,500 per property.

8 In addition, for the cost of direct loans and grants,
9 including the cost of modifying loans, as defined in section
10 502 of the Congressional Budget Act of 1974,
11 \$60,000,000 to remain available until expended, for a
12 demonstration program for the preservation and revital-
13 ization of the sections 514, 515, and 516 multi-family
14 rental housing properties to restructure existing USDA
15 multi-family housing loans, as the Secretary deems appro-
16 priate, expressly for the purposes of ensuring the project
17 has sufficient resources to preserve the project for the pur-
18 pose of providing safe and affordable housing for low-in-
19 come residents and farm laborers including reducing or
20 eliminating interest; deferring loan payments, subordi-
21 nating, reducing or re-amortizing loan debt; and other fi-
22 nancial assistance including advances, payments and in-
23 centives (including the ability of owners to obtain reason-
24 able returns on investment) required by the Secretary:
25 *Provided*, That the Secretary shall as part of the preserva-

1 tion and revitalization agreement obtain a restrictive use
2 agreement consistent with the terms of the restructuring:
3 *Provided further*, That any balances, including obligated
4 balances, available for all demonstration programs for the
5 preservation and revitalization of sections 514, 515, and
6 516 multi-family rental housing properties in the “Multi-
7 Family Housing Revitalization Program Account” shall be
8 transferred to this account, and shall also be available for
9 the preservation and revitalization of sections 514, 515,
10 and 516 multi-family rental housing properties, including
11 the restructuring of existing USDA multi-family housing
12 loans: *Provided further*, That following the transfer of bal-
13 ances described in the preceding proviso, any adjustments
14 to obligations for demonstration programs for the preser-
15 vation and revitalization of section 514, 515, and 516
16 multi-family rental housing properties that would other-
17 wise be incurred in the “Multi-Family Housing Revitaliza-
18 tion Program Account” shall be made in this account from
19 amounts transferred to this account under the preceding
20 proviso.

21 In addition, for the cost of direct loans, grants, and
22 contracts, as authorized by sections 514 and 516 of the
23 Housing Act of 1949 (42 U.S.C. 1484, 1486),
24 \$17,831,000, to remain available until expended, for direct
25 farm labor housing loans and domestic farm labor housing

1 grants and contracts: *Provided*, That any balances avail-
2 able for the Farm Labor Program Account shall be trans-
3 ferred to and merged with this account.

4 In addition, for administrative expenses necessary to
5 carry out the direct and guaranteed loan programs,
6 \$412,254,000 shall be transferred to and merged with the
7 appropriation for “Rural Development, Salaries and Ex-
8 penses”.

9 RENTAL ASSISTANCE PROGRAM

10 For rental assistance agreements entered into or re-
11 newed pursuant to the authority under section 521(a)(2)
12 of the Housing Act of 1949 or agreements entered into
13 in lieu of debt forgiveness or payments for eligible house-
14 holds as authorized by section 502(c)(5)(D) of the Hous-
15 ing Act of 1949, and for the rural housing voucher pro-
16 gram as authorized under section 542 of the Housing Act
17 of 1949, notwithstanding subsection (b) of such section,
18 \$1,495,000,000, of which \$40,000,000 shall be available
19 until September 30, 2023; and in addition such sums as
20 may be necessary, as authorized by section 521(c) of the
21 Act, to liquidate debt incurred prior to fiscal year 1992
22 to carry out the rental assistance program under section
23 521(a)(2) of the Act: *Provided*, That of the amounts made
24 available under this heading, \$1,450,000,000 shall be
25 available for renewal of rental assistance agreements: *Pro-*

1 *vided further*, That rental assistance agreements entered
2 into or renewed during the current fiscal year shall be
3 funded for a one-year period: *Provided further*, That not-
4 withstanding any other provision of the Act, the Secretary
5 may recapture rental assistance provided under agree-
6 ments entered into prior to fiscal year 2022 for a project
7 that the Secretary determines no longer needs rental as-
8 sistance and use such recaptured funds for current needs:
9 *Provided further*, That notwithstanding any other provi-
10 sion of the Act, the Secretary may recapture funds pro-
11 vided for rental assistance under agreements entered into
12 prior to fiscal year 2022 for a project that the Secretary
13 determines no longer needs rental assistance: *Provided*
14 *further*, That such recaptured funds shall remain available
15 for obligation in fiscal year 2022 for the purposes specified
16 under this heading: *Provided further*, That of the amounts
17 made available under this heading, \$45,000,000 shall be
18 available for rural housing vouchers to any low-income
19 household, including a household that does not receive
20 rental assistance, residing in a property financed with a
21 section 515 loan that has been prepaid or otherwise paid
22 off after September 30, 2005: *Provided further*, That the
23 amount of such vouchers shall be equal to the difference
24 between comparable market rent for the section 515 unit
25 and the tenant paid rent for such unit: *Provided further*,

1 That such vouchers shall be subject to the availability of
2 annual appropriations: *Provided further*, That the Sec-
3 retary shall, to the maximum extent practicable, admin-
4 ister such vouchers with current regulations and adminis-
5 trative guidance applicable to section 8 housing vouchers
6 administered by the Secretary of the Department of Hous-
7 ing and Urban Development: *Provided further*, That any
8 balances available for the rural housing voucher program
9 in the “Multi-Family Housing Revitalization Program Ac-
10 count” shall be transferred to and merged with this ac-
11 count and shall be available for the rural housing voucher
12 program: *Provided further*, That if the Secretary deter-
13 mines that the amount made available for vouchers or
14 rental assistance in this Act is not needed for vouchers
15 or rental assistance, the Secretary may use such funds for
16 any of the programs described under this heading.

17 MUTUAL AND SELF-HELP HOUSING GRANTS

18 For grants and contracts pursuant to section
19 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
20 1490c), \$32,000,000, to remain available until expended.

21 RURAL HOUSING ASSISTANCE GRANTS

22 For grants for very low-income housing repair and
23 rural housing preservation made by the Rural Housing
24 Service, as authorized by 42 U.S.C. 1474, and 1490m,
25 \$65,000,000, to remain available until expended.

1 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For gross obligations for the principal amount of di-
4 rect and guaranteed loans as authorized by section 306
5 and described in section 381E(d)(1) of the Consolidated
6 Farm and Rural Development Act, \$2,800,000,000 for di-
7 rect loans and \$650,000,000 for guaranteed loans.

8 For the cost of direct loans, loan guarantees and
9 grants, including the cost of modifying loans, as defined
10 in section 502 of the Congressional Budget Act of 1974,
11 for rural community facilities programs as authorized by
12 section 306 and described in section 381E(d)(1) of the
13 Consolidated Farm and Rural Development Act,
14 \$238,454,714, to remain available until expended, of
15 which up to \$112,036,714 shall be for the purposes, and
16 in the amounts, specified for this account in the table ti-
17 tled “Community Project Funding” in the report to ac-
18 company this Act, in accordance with applicable statutory
19 and regulatory requirements: *Provided*, That \$6,000,000
20 of the amount appropriated under this heading shall be
21 available for a Rural Community Development Initiative:
22 *Provided further*, That such funds shall be used solely to
23 develop the capacity and ability of private, nonprofit com-
24 munity-based housing and community development orga-
25 nizations, low-income rural communities, and Federally

1 Recognized Native American Tribes to undertake projects
2 to improve housing, community facilities, community and
3 economic development projects in rural areas: *Provided*
4 *further*, That such funds shall be made available to quali-
5 fied private, nonprofit and public intermediary organiza-
6 tions proposing to carry out a program of financial and
7 technical assistance: *Provided further*, That such inter-
8 mediary organizations shall provide matching funds from
9 other sources, including Federal funds for related activi-
10 ties, in an amount not less than funds provided: *Provided*
11 *further*, That any unobligated balances from prior year ap-
12 propriations under this heading for the cost of direct
13 loans, loan guarantees and grants, including amounts
14 deobligated or cancelled, may be made available to cover
15 the subsidy costs for direct loans and or loan guarantees
16 under this heading in this fiscal year: *Provided further*,
17 That no amounts may be made available pursuant to the
18 preceding proviso from amounts that were designated by
19 the Congress as an emergency requirement pursuant to
20 a Concurrent Resolution on the Budget or the Balanced
21 Budget and Emergency Deficit Control Act of 1985: *Pro-*
22 *vided further*, That \$10,000,000 of the amount appro-
23 priated under this heading shall be available for commu-
24 nity facilities grants to tribal colleges, as authorized by
25 section 306(a)(19) of such Act: *Provided further*, That sec-

1 tions 381E–H and 381N of the Consolidated Farm and
2 Rural Development Act are not applicable to the funds
3 made available under this heading.

4 RURAL BUSINESS—COOPERATIVE SERVICE
5 RURAL BUSINESS PROGRAM ACCOUNT
6 (INCLUDING TRANSFERS OF FUNDS)

7 For the cost of loan guarantees and grants, for the
8 rural business development programs authorized by sec-
9 tion 310B and described in subsections (a), (c), (f) and
10 (g) of section 310B of the Consolidated Farm and Rural
11 Development Act, \$91,200,000, to remain available until
12 expended: *Provided*, That of the amount appropriated
13 under this heading, not to exceed \$500,000 shall be made
14 available for one grant to a qualified national organization
15 to provide technical assistance for rural transportation in
16 order to promote economic development and \$9,000,000
17 shall be for grants to the Delta Regional Authority (7
18 U.S.C. 2009aa et seq.), the Northern Border Regional
19 Commission (40 U.S.C. 15101 et seq.), and the Appa-
20 lachian Regional Commission (40 U.S.C. 14101 et seq.)
21 for any Rural Community Advancement Program purpose
22 as described in section 381E(d) of the Consolidated Farm
23 and Rural Development Act, of which not more than 5
24 percent may be used for administrative expenses: *Provided*
25 *further*, That \$4,000,000 of the amount appropriated

1 under this heading shall be for business grants to benefit
2 Federally Recognized Native American Tribes, including
3 \$250,000 for a grant to a qualified national organization
4 to provide technical assistance for rural transportation in
5 order to promote economic development: *Provided further,*
6 That of the amount appropriated under this heading,
7 \$5,000,000 shall be for the Rural Innovation Stronger
8 Economy Grant Program (7 U.S.C. 2008w): *Provided fur-*
9 *ther,* That sections 381E–H and 381N of the Consolidated
10 Farm and Rural Development Act are not applicable to
11 funds made available under this heading.

12 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
13 (INCLUDING TRANSFER OF FUNDS)

14 For the principal amount of direct loans, as author-
15 ized by the Intermediary Relending Program Fund Ac-
16 count (7 U.S.C. 1936b), \$18,889,000.

17 For the cost of direct loans, \$1,524,000, as author-
18 ized by the Intermediary Relending Program Fund Ac-
19 count (7 U.S.C. 1936b), of which \$167,000 shall be avail-
20 able through June 30, 2022, for Federally Recognized Na-
21 tive American Tribes; and of which \$305,000 shall be
22 available through June 30, 2022, for Mississippi Delta Re-
23 gion counties (as determined in accordance with Public
24 Law 100–460): *Provided,* That such costs, including the

1 cost of modifying such loans, shall be as defined in section
2 502 of the Congressional Budget Act of 1974.

3 In addition, for administrative expenses to carry out
4 the direct loan programs, \$4,468,000 shall be transferred
5 to and merged with the appropriation for “Rural Develop-
6 ment, Salaries and Expenses”.

7 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

8 ACCOUNT

9 For the principal amount of direct loans, as author-
10 ized under section 313B(a) of the Rural Electrification
11 Act, for the purpose of promoting rural economic develop-
12 ment and job creation projects, \$50,000,000.

13 The cost of grants authorized under section 313B(a)
14 of the Rural Electrification Act, for the purpose of pro-
15 moting rural economic development and job creation
16 projects shall not exceed \$10,000,000.

17 RURAL COOPERATIVE DEVELOPMENT GRANTS

18 For rural cooperative development grants authorized
19 under section 310B(e) of the Consolidated Farm and
20 Rural Development Act (7 U.S.C. 1932), \$28,600,000, of
21 which \$2,800,000 shall be for cooperative agreements for
22 the appropriate technology transfer for rural areas pro-
23 gram: *Provided*, That not to exceed \$3,000,000 shall be
24 for grants for cooperative development centers, individual
25 cooperatives, or groups of cooperatives that serve socially

1 disadvantaged groups and a majority of the boards of di-
2 rectors or governing boards of which are comprised of in-
3 dividuals who are members of socially disadvantaged
4 groups; and of which \$17,000,000, to remain available
5 until expended, shall be for value-added agricultural prod-
6 uct market development grants, as authorized by section
7 210A of the Agricultural Marketing Act of 1946, of which
8 \$3,000,000, to remain available until expended, shall be
9 for Agriculture Innovation Centers authorized pursuant to
10 section 6402 of Public Law 107–171.

11 RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

12 For gross obligations for the principal amount of di-
13 rect loans as authorized by section 379E of the Consoli-
14 dated Farm and Rural Development Act (U.S.C. 2008s),
15 \$150,000,000.

16 For the cost of grants, \$8,000,000 under the same
17 terms and conditions as authorized by section 379E of the
18 Consolidated Farm and Rural Development Act (7 U.S.C.
19 2008s).

20 RURAL ENERGY FOR AMERICA PROGRAM

21 For the cost of a program of loan guarantees and
22 grants, under the same terms and conditions as authorized
23 by section 9007 of the Farm Security and Rural Invest-
24 ment Act of 2002 (7 U.S.C. 8107), \$30,420,000: *Pro-*
25 *vided*, That the cost of loan guarantees, including the cost

1 of modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974.

3 HEALTHY FOODS FINANCING INITIATIVE

4 For the cost of loans and grants that is consistent
5 with section 243 of subtitle D of title II of the Department
6 of Agriculture Reorganization Act of 1994 (7 U.S.C.
7 6953), as added by section 4206 of the Agricultural Act
8 of 2014, for necessary expenses of the Secretary to sup-
9 port projects that provide access to healthy food in under-
10 served areas, to create and preserve quality jobs, and to
11 revitalize low-income communities, \$6,000,000, to remain
12 available until expended: *Provided*, That such costs of
13 loans, including the cost of modifying such loans, shall be
14 as defined in section 502 of the Congressional Budget Act
15 of 1974.

16 RURAL UTILITIES SERVICE

17 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For gross obligations for the principal amount of di-
20 rect and guaranteed loans as authorized by section 306
21 and described in section 381E(d)(2) of the Consolidated
22 Farm and Rural Development Act, as follows:
23 \$1,400,000,000 for direct loans; and \$50,000,000 for
24 guaranteed loans.

1 For the cost of loan guarantees and grants, including
2 the cost of modifying loans, as defined in section 502 of
3 the Congressional Budget Act of 1974, for rural water,
4 waste water, waste disposal, and solid waste management
5 programs authorized by sections 306, 306A, 306C, 306D,
6 306E, and 310B and described in sections 306C(a)(2),
7 306D, 306E, and 381E(d)(2) of the Consolidated Farm
8 and Rural Development Act, \$721,557,000, to remain
9 available until expended, of which not to exceed
10 \$1,000,000 shall be available for the rural utilities pro-
11 gram described in section 306(a)(2)(B) of such Act, and
12 of which not to exceed \$5,000,000 shall be available for
13 the rural utilities program described in section 306E of
14 such Act: *Provided*, That not to exceed \$15,000,000 of
15 the amount appropriated under this heading shall be for
16 grants authorized by section 306A(i)(2) of the Consoli-
17 dated Farm and Rural Development Act in addition to
18 funding authorized by section 306A(i)(1) of such Act: *Pro-*
19 *vided further*, That \$93,000,000 of the amount appro-
20 priated under this heading shall be for loans and grants
21 including water and waste disposal systems grants author-
22 ized by section 306C(a)(2)(B) and section 306D of the
23 Consolidated Farm and Rural Development Act, and Fed-
24 erally Recognized Native American Tribes authorized by
25 306C(a)(1) of such Act: *Provided further*, That funding

1 provided for section 306D of the Consolidated Farm and
2 Rural Development Act may be provided to a consortium
3 formed pursuant to section 325 of Public Law 105–83:
4 *Provided further*, That not more than 2 percent of the
5 funding provided for section 306D of the Consolidated
6 Farm and Rural Development Act may be used by the
7 State of Alaska for training and technical assistance pro-
8 grams and not more than 2 percent of the funding pro-
9 vided for section 306D of the Consolidated Farm and
10 Rural Development Act may be used by a consortium
11 formed pursuant to section 325 of Public Law 105–83 for
12 training and technical assistance programs: *Provided fur-*
13 *ther*, That not to exceed \$40,000,000 of the amount ap-
14 propriated under this heading shall be for technical assist-
15 ance grants for rural water and waste systems pursuant
16 to section 306(a)(14) of such Act, unless the Secretary
17 makes a determination of extreme need, of which
18 \$8,000,000 shall be made available for a grant to a quali-
19 fied nonprofit multi-State regional technical assistance or-
20 ganization, with experience in working with small commu-
21 nities on water and waste water problems, the principal
22 purpose of such grant shall be to assist rural communities
23 with populations of 3,300 or less, in improving the plan-
24 ning, financing, development, operation, and management
25 of water and waste water systems, and of which not less

1 than \$800,000 shall be for a qualified national Native
2 American organization to provide technical assistance for
3 rural water systems for tribal communities: *Provided fur-*
4 *ther*, That not to exceed \$20,157,000 of the amount ap-
5 propriated under this heading shall be for contracting with
6 qualified national organizations for a circuit rider program
7 to provide technical assistance for rural water systems:
8 *Provided further*, That not to exceed \$4,000,000 of the
9 amounts made available under this heading shall be for
10 solid waste management grants: *Provided further*, That
11 \$10,000,000 of the amount appropriated under this head-
12 ing shall be transferred to, and merged with, the Rural
13 Utilities Service, High Energy Cost Grants Account to
14 provide grants authorized under section 19 of the Rural
15 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
16 *ther*, That any prior year balances for high-energy cost
17 grants authorized by section 19 of the Rural Electrifica-
18 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
19 and merged with the Rural Utilities Service, High Energy
20 Cost Grants Account: *Provided further*, That sections
21 381E–H and 381N of the Consolidated Farm and Rural
22 Development Act are not applicable to the funds made
23 available under this heading.

1 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

2 LOANS PROGRAM ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 The principal amount of direct and guaranteed loans
5 as authorized by sections 4, 305, 306, and 317 of the
6 Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936,
7 and 940g) shall be made as follows: loans made pursuant
8 to sections 4(c)(2), 305(d)(2), 306, and 317, notwith-
9 standing 317(c), of that Act, rural direct electric loans,
10 \$5,500,000,000; guaranteed underwriting loans pursuant
11 to section 313A of that Act, \$750,000,000; 5 percent rural
12 telecommunications loans, cost of money rural tele-
13 communications loans, and for loans made pursuant to
14 section 306 of that Act, rural telecommunications loans,
15 \$690,000,000.

16 For the cost of direct loans as authorized by section
17 305(d)(2) of the Rural Electrification Act of 1936 (7
18 U.S.C. 935(d)(2)), including the cost of modifying loans,
19 as defined in section 502 of the Congressional Budget Act
20 of 1974, cost of money rural telecommunications loans,
21 \$2,070,000.

22 For the cost of grants and loan modifications, as de-
23 fined in section 502 of the Congressional Budget Act of
24 1974, including any associated penalties, for transitioning
25 to pollution free electricity, \$150,000,000, of which up to

1 five percent may be used for administrative costs to carry
2 out the program.

3 For the cost of modifications, as defined in section
4 502 of the Congressional Budget Act of 1974, for the di-
5 rect rural telecommunication loans, \$25,000,000.

6 In addition, \$14,000,000 to remain available until ex-
7 pended, to carry out section 6407 of the Farm Security
8 and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Pro-*
9 *vided*, That the energy efficiency measures supported by
10 the funding in this paragraph shall contribute in a demon-
11 strable way to the reduction of greenhouse gases.

12 In addition, for administrative expenses necessary to
13 carry out the direct and guaranteed loan programs,
14 \$33,270,000, which shall be transferred to and merged
15 with the appropriation for “Rural Development, Salaries
16 and Expenses”.

17 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
18 PROGRAM

19 For the principal amount of broadband telecommuni-
20 cation loans, \$11,869,000.

21 For grants for telemedicine and distance learning
22 services in rural areas, as authorized by 7 U.S.C. 950aaa
23 et seq., \$60,000,000, to remain available until expended:
24 *Provided*, That \$3,000,000 shall be made available for
25 grants authorized by section 379G of the Consolidated

1 Farm and Rural Development Act: *Provided further*, That
2 funding provided under this heading for grants under sec-
3 tion 379G of the Consolidated Farm and Rural Develop-
4 ment Act may only be provided to entities that meet all
5 of the eligibility criteria for a consortium as established
6 by this section.

7 For the cost of broadband loans, as authorized by
8 section 601 of the Rural Electrification Act, \$1,772,000,
9 to remain available until expended: *Provided*, That the
10 cost of direct loans shall be as defined in section 502 of
11 the Congressional Budget Act of 1974.

12 For the broadband loan and grant pilot program es-
13 tablished by section 779 of division A of the Consolidated
14 Appropriations Act, 2018 (Public Law 115–141) under
15 the Rural Electrification Act of 1936, as amended (7
16 U.S.C 901 et seq.), \$786,604,792, to remain available
17 until expended, of which up to \$36,604,792 shall be for
18 the purposes, and in the amounts, specified for this ac-
19 count in the table titled “Community Project Funding”
20 in the report to accompany this Act, in accordance with
21 applicable statutory and regulatory requirements: *Pro-*
22 *vided*, That the Secretary may award grants described in
23 section 601(a) of the Rural Electrification Act of 1936,
24 as amended (7 U.S.C. 950bb(a)) for the purposes of car-
25 rying out such pilot program: *Provided further*, That the

1 cost of direct loans shall be defined in section 502 of the
2 Congressional Budget Act of 1974: *Provided further*, That
3 at least 90 percent of the households to be served by a
4 project receiving a loan or grant under the pilot program
5 shall be in a rural area without sufficient access to
6 broadband: *Provided further*, That for purposes of such
7 pilot program, a rural area without sufficient access to
8 broadband shall be defined as ten megabytes per second
9 downstream and one megabyte per second upstream, and
10 such definition shall be reevaluated and redefined, as nec-
11 essary, on an annual basis by the Secretary of Agriculture:
12 *Provided further*, That an entity to which a loan or grant
13 is made under the pilot program shall not use the loan
14 or grant to overbuild or duplicate broadband service in a
15 service area by any entity that has received a broadband
16 loan from the Rural Utilities Service unless such service
17 is not provided sufficient access to broadband at the min-
18 imum service threshold: *Provided further*, That not more
19 than four percent of the funds made available in this para-
20 graph can be used for administrative costs to carry out
21 the pilot program and up to three percent of funds made
22 available in this paragraph may be available for technical
23 assistance and pre-development planning activities to sup-
24 port the most rural communities: *Provided further*, That
25 the Rural Utilities Service is directed to expedite program

1 delivery methods that would implement this paragraph:
2 *Provided further*, That for purposes of this paragraph, the
3 Secretary shall adhere to the notice, reporting and service
4 area assessment requirements set forth in sections
5 6104(a)(2)(D) and 6104(a)(2)(E) of the Agricultural Act
6 of 2014 (7 U.S.C 950bb(d)(5), (d)(8) and (d)(10)).

7 In addition, \$35,000,000, to remain available until
8 expended, for the Community Connect Grant Program au-
9 thorized by 7 U.S.C. 950bb–3.

10

TITLE IV

11

DOMESTIC FOOD PROGRAMS

12

OFFICE OF THE UNDER SECRETARY FOR FOOD,

13

NUTRITION, AND CONSUMER SERVICES

14

For necessary expenses of the Office of the Under
15 Secretary for Food, Nutrition, and Consumer Services,
16 \$1,327,000: *Provided*, That funds made available by this
17 Act to an agency in the Food, Nutrition and Consumer
18 Services mission area for salaries and expenses are avail-
19 able to fund up to one administrative support staff for
20 the Office.

21

FOOD AND NUTRITION SERVICE

22

CHILD NUTRITION PROGRAMS

23

(INCLUDING TRANSFERS OF FUNDS)

24

For necessary expenses to carry out the Richard B.
25 Russell National School Lunch Act (42 U.S.C. 1751 et

1 seq.), except section 21, and the Child Nutrition Act of
2 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
3 21; \$26,892,922,000 to remain available through Sep-
4 tember 30, 2023, of which such sums as are made avail-
5 able under section 14222(b)(1) of the Food, Conservation,
6 and Energy Act of 2008 (Public Law 110–246), as
7 amended by this Act, shall be merged with and available
8 for the same time period and purposes as provided herein:
9 *Provided*, That of the total amount available, \$20,004,000
10 shall be available to carry out section 19 of the Child Nu-
11 trition Act of 1966 (42 U.S.C. 1788): *Provided further*,
12 That of the total amount available, \$15,607,000 shall be
13 available to carry out studies and evaluations and shall
14 remain available until expended: *Provided further*, That of
15 the total amount available, \$35,000,000 shall be available
16 to provide competitive grants to State agencies for sub-
17 grants to local educational agencies and schools to pur-
18 chase the equipment, with a value of greater than \$1,000,
19 needed to serve healthier meals, improve food safety, and
20 to help support the establishment, maintenance, or expan-
21 sion of the school breakfast program: *Provided further*,
22 That of the total amount available, \$45,000,000 shall re-
23 main available until expended to carry out section 749(g)
24 of the Agriculture Appropriations Act of 2010 (Public
25 Law 111–80): *Provided further*, That of the total amount

1 available, \$12,000,000 shall remain available until ex-
2 pended to carry out section 18(g) of the Richard B. Rus-
3 sell National School Lunch Act (42 U.S.C. 1769(g)): *Pro-*
4 *vided further*, That notwithstanding section 18(g)(3)(C) of
5 the Richard B. Russell National School Lunch Act (42
6 U.S.C. 1769(g)(3)(c)), the total grant amount provided to
7 a farm to school grant recipient in fiscal year 2022 shall
8 not exceed \$500,000: *Provided further*, That section 26(d)
9 of the Richard B. Russell National School Lunch Act (42
10 U.S.C. 1769g(d)) is amended in the first sentence by
11 striking “2010 through 2022” and inserting “2010
12 through 2023”: *Provided further*, That section 9(h)(3) of
13 the Richard B. Russell National School Lunch Act (42
14 U.S.C. 1758(h)(3)) is amended in the first sentence by
15 striking “For fiscal year 2021” and inserting “For fiscal
16 year 2022”: *Provided further*, That section 9(h)(4) of the
17 Richard B. Russell National School Lunch Act (42 U.S.C.
18 1758(h)(4)) is amended in the first sentence by striking
19 “For fiscal year 2021” and inserting “For fiscal year
20 2022”.

21 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR

22 WOMEN, INFANTS, AND CHILDREN (WIC)

23 For necessary expenses to carry out the special sup-
24 plemental nutrition program as authorized by section 17
25 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),

1 \$6,000,000,000, to remain available through September
2 30, 2023: *Provided*, That notwithstanding section
3 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
4 1786(h)(10)), not less than \$90,000,000 shall be used for
5 breastfeeding peer counselors and other related activities,
6 \$14,000,000 shall be used for infrastructure, and not less
7 than \$75,000,000, to remain available until expended,
8 shall be available for management information systems,
9 including WIC electronic benefit transfer systems and ac-
10 tivities: *Provided further*, That none of the funds provided
11 in this account shall be available for the purchase of infant
12 formula except in accordance with the cost containment
13 and competitive bidding requirements specified in section
14 17 of such Act: *Provided further*, That none of the funds
15 provided shall be available for activities that are not fully
16 reimbursed by other Federal Government departments or
17 agencies unless authorized by section 17 of such Act: *Pro-*
18 *vided further*, That upon termination of a federally man-
19 dated vendor moratorium and subject to terms and condi-
20 tions established by the Secretary, the Secretary may
21 waive the requirement at 7 CFR 246.12(g)(6) at the re-
22 quest of a State agency.

23 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

24 For necessary expenses to carry out the Food and
25 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),

1 \$105,796,197,000, of which \$3,000,000,000, to remain
2 available through September 30, 2024, shall be placed in
3 reserve for use only in such amounts and at such times
4 as may become necessary to carry out program operations:
5 *Provided*, That funds provided herein shall be expended
6 in accordance with section 16 of the Food and Nutrition
7 Act of 2008: *Provided further*, That of the funds made
8 available under this heading, \$998,000 may be used to
9 provide nutrition education services to State agencies and
10 Federally Recognized Tribes participating in the Food
11 Distribution Program on Indian Reservations: *Provided*
12 *further*, That of the funds made available under this head-
13 ing, \$3,000,000, to remain available until September 30,
14 2023, shall be used to carry out section 4003(b) of Public
15 Law 115–334 relating to demonstration projects for tribal
16 organizations: *Provided further*, That this appropriation
17 shall be subject to any work registration or workfare re-
18 quirements as may be required by law: *Provided further*,
19 That funds made available for Employment and Training
20 under this heading shall remain available through Sep-
21 tember 30, 2023: *Provided further*, That funds made avail-
22 able under this heading for section 28(d)(1), section 4(b),
23 and section 27(a) of the Food and Nutrition Act of 2008
24 shall remain available through September 30, 2023: *Pro-*
25 *vided further*, That none of the funds made available under

1 this heading may be obligated or expended in contraven-
2 tion of section 213A of the Immigration and Nationality
3 Act (8 U.S.C. 1183A): *Provided further*, That funds made
4 available under this heading may be used to enter into
5 contracts and employ staff to conduct studies, evaluations,
6 or to conduct activities related to program integrity pro-
7 vided that such activities are authorized by the Food and
8 Nutrition Act of 2008.

9 For making, after June 30 of the current fiscal year,
10 benefit payments to individuals, and payments to States
11 or other non-Federal entities, pursuant to the Food and
12 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unan-
13 ticipated costs incurred for the last three months of the
14 fiscal year, such sums as may be necessary.

15 COMMODITY ASSISTANCE PROGRAM

16 For necessary expenses to carry out disaster assist-
17 ance and the Commodity Supplemental Food Program as
18 authorized by section 4(a) of the Agriculture and Con-
19 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
20 Emergency Food Assistance Act of 1983; special assist-
21 ance for the nuclear affected islands, as authorized by sec-
22 tion 103(f)(2) of the Compact of Free Association Amend-
23 ments Act of 2003 (Public Law 108–188); and the Farm-
24 ers’ Market Nutrition Program, as authorized by section
25 17(m) of the Child Nutrition Act of 1966, \$448,070,000,

1 to remain available through September 30, 2023: *Pro-*
2 *vided*, That none of these funds shall be available to reim-
3 burse the Commodity Credit Corporation for commodities
4 donated to the program: *Provided further*, That notwith-
5 standing any other provision of law, effective with funds
6 made available in fiscal year 2022 to support the Seniors
7 Farmers' Market Nutrition Program, as authorized by
8 section 4402 of the Farm Security and Rural Investment
9 Act of 2002, such funds shall remain available through
10 September 30, 2023: *Provided further*, That of the funds
11 made available under section 27(a) of the Food and Nutri-
12 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
13 use up to 20 percent for costs associated with the distribu-
14 tion of commodities.

15 NUTRITION PROGRAMS ADMINISTRATION

16 For necessary administrative expenses of the Food
17 and Nutrition Service for carrying out any domestic nutri-
18 tion assistance program, \$191,533,000: *Provided*, That of
19 the funds provided herein, \$2,000,000 shall be used for
20 the purposes of section 4404 of Public Law 107–171, as
21 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
5 FOREIGN AGRICULTURAL AFFAIRS

6 For necessary expenses of the Office of the Under
7 Secretary for Trade and Foreign Agricultural Affairs,
8 \$908,000: *Provided*, That funds made available by this
9 Act to any agency in the Trade and Foreign Agricultural
10 Affairs mission area for salaries and expenses are avail-
11 able to fund up to one administrative support staff for
12 the Office.

13 OFFICE OF CODEX ALIMENTARIUS

14 For necessary expenses of the Office of Codex
15 Alimentarius, \$4,841,000, including not to exceed
16 \$40,000 for official reception and representation expenses.

17 FOREIGN AGRICULTURAL SERVICE

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses of the Foreign Agricultural
21 Service, including not to exceed \$250,000 for representa-
22 tion allowances and for expenses pursuant to section 8 of
23 the Act approved August 3, 1956 (7 U.S.C. 1766),
24 \$228,644,000, of which no more than 6 percent shall re-
25 main available until September 30, 2023, for overseas op-

1 erations to include the payment of locally employed staff:
2 *Provided*, That the Service may utilize advances of funds,
3 or reimburse this appropriation for expenditures made on
4 behalf of Federal agencies, public and private organiza-
5 tions and institutions under agreements executed pursu-
6 ant to the agricultural food production assistance pro-
7 grams (7 U.S.C. 1737) and the foreign assistance pro-
8 grams of the United States Agency for International De-
9 velopment: *Provided further*, That funds made available
10 for middle-income country training programs, funds made
11 available for the Borlaug International Agricultural
12 Science and Technology Fellowship program, and up to
13 \$2,000,000 of the Foreign Agricultural Service appropria-
14 tion solely for the purpose of offsetting fluctuations in
15 international currency exchange rates, subject to docu-
16 mentation by the Foreign Agricultural Service, shall re-
17 main available until expended.

18 FOOD FOR PEACE TITLE II GRANTS

19 For expenses during the current fiscal year, not oth-
20 erwise recoverable, and unrecovered prior years' costs, in-
21 cluding interest thereon, under the Food for Peace Act
22 (Public Law 83-480), for commodities supplied in connec-
23 tion with dispositions abroad under title II of said Act,
24 \$1,740,000,000, to remain available until expended.

1 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
2 AND CHILD NUTRITION PROGRAM GRANTS

3 For necessary expenses to carry out the provisions
4 of section 3107 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 1736o–1), \$245,000,000, to
6 remain available until expended: *Provided*, That the Com-
7 modity Credit Corporation is authorized to provide the
8 services, facilities, and authorities for the purpose of im-
9 plementing such section, subject to reimbursement from
10 amounts provided herein: *Provided further*, That of the
11 amount made available under this heading, not more than
12 10 percent, but not less than \$23,500,000, shall remain
13 available until expended to purchase agricultural commod-
14 ities as described in subsection 3107(a)(2) of the Farm
15 Security and Rural Investment Act of 2002 (7 U.S.C.
16 1736o–1(a)(2)).

17 COMMODITY CREDIT CORPORATION EXPORT (LOANS)

18 CREDIT GUARANTEE PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-
21 modity Credit Corporation’s Export Guarantee Program,
22 GSM 102 and GSM 103, \$6,063,000, to cover common
23 overhead expenses as permitted by section 11 of the Com-
24 modity Credit Corporation Charter Act and in conformity
25 with the Federal Credit Reform Act of 1990, which shall

1 be transferred to and merged with the appropriation for
2 “Foreign Agricultural Service, Salaries and Expenses”.

3 TITLE VI
4 RELATED AGENCY AND FOOD AND DRUG
5 ADMINISTRATION
6 DEPARTMENT OF HEALTH AND HUMAN SERVICES
7 FOOD AND DRUG ADMINISTRATION
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Food and Drug Ad-
11 ministration, including hire and purchase of passenger
12 motor vehicles; for payment of space rental and related
13 costs pursuant to Public Law 92–313 for programs and
14 activities of the Food and Drug Administration which are
15 included in this Act; for rental of special purpose space
16 in the District of Columbia or elsewhere; in addition to
17 amounts appropriated to the FDA Innovation Account, for
18 carrying out the activities described in section 1002(b)(4)
19 of the 21st Century Cures Act (Public Law 114–255); for
20 miscellaneous and emergency expenses of enforcement ac-
21 tivities, authorized and approved by the Secretary and to
22 be accounted for solely on the Secretary’s certificate, not
23 to exceed \$25,000; and notwithstanding section 521 of
24 Public Law 107–188; \$6,173,098,000: *Provided*, That of
25 the amount provided under this heading, \$1,141,861,000

1 shall be derived from prescription drug user fees author-
2 ized by 21 U.S.C. 379h, and shall be credited to this ac-
3 count and remain available until expended; \$241,431,000
4 shall be derived from medical device user fees authorized
5 by 21 U.S.C. 379j, and shall be credited to this account
6 and remain available until expended; \$527,848,000 shall
7 be derived from human generic drug user fees authorized
8 by 21 U.S.C. 379j–42, and shall be credited to this ac-
9 count and remain available until expended; \$43,116,000
10 shall be derived from biosimilar biological product user
11 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
12 ited to this account and remain available until expended;
13 \$33,836,000 shall be derived from animal drug user fees
14 authorized by 21 U.S.C. 379j–12, and shall be credited
15 to this account and remain available until expended;
16 \$23,137,000 shall be derived from generic new animal
17 drug user fees authorized by 21 U.S.C. 379j–21, and shall
18 be credited to this account and remain available until ex-
19 pended; \$712,000,000 shall be derived from tobacco prod-
20 uct user fees authorized by 21 U.S.C. 387s, and shall be
21 credited to this account and remain available until ex-
22 pended: *Provided further*, That in addition to and notwith-
23 standing any other provision under this heading, amounts
24 collected for prescription drug user fees, medical device
25 user fees, human generic drug user fees, biosimilar biologi-

1 cal product user fees, animal drug user fees, and generic
2 new animal drug user fees that exceed the respective fiscal
3 year 2022 limitations are appropriated and shall be cred-
4 ited to this account and remain available until expended:
5 *Provided further*, That fees derived from prescription drug,
6 medical device, human generic drug, biosimilar biological
7 product, animal drug, and generic new animal drug as-
8 sessments for fiscal year 2022, including any such fees
9 collected prior to fiscal year 2022 but credited for fiscal
10 year 2022, shall be subject to the fiscal year 2022 limita-
11 tions: *Provided further*, That the Secretary may accept
12 payment during fiscal year 2022 of user fees specified
13 under this heading and authorized for fiscal year 2023,
14 prior to the due date for such fees, and that amounts of
15 such fees assessed for fiscal year 2023 for which the Sec-
16 retary accepts payment in fiscal year 2022 shall not be
17 included in amounts under this heading: *Provided further*,
18 That none of these funds shall be used to develop, estab-
19 lish, or operate any program of user fees authorized by
20 31 U.S.C. 9701: *Provided further*, That of the total
21 amount appropriated: (1) \$1,162,609,000 shall be for the
22 Center for Food Safety and Applied Nutrition and related
23 field activities in the Office of Regulatory Affairs, of which
24 no less than \$15,000,000 shall be used for inspections of
25 foreign seafood manufacturers and field examinations of

1 imported seafood; (2) \$2,103,091,000 shall be for the
2 Center for Drug Evaluation and Research and related
3 field activities in the Office of Regulatory Affairs, of which
4 no less than \$8,500,000 shall be for pilots to increase un-
5 announced foreign inspections; (3) \$453,902,000 shall be
6 for the Center for Biologics Evaluation and Research and
7 for related field activities in the Office of Regulatory Af-
8 fairs; (4) \$274,463,000 shall be for the Center for Veteri-
9 nary Medicine and for related field activities in the Office
10 of Regulatory Affairs; (5) \$651,976,000 shall be for the
11 Center for Devices and Radiological Health and for re-
12 lated field activities in the Office of Regulatory Affairs;
13 (6) \$74,304,000 shall be for the National Center for Toxi-
14 cological Research; (7) \$680,812,000 shall be for the Cen-
15 ter for Tobacco Products and for related field activities
16 in the Office of Regulatory Affairs; (8) \$200,402,000 shall
17 be for Rent and Related activities, of which \$54,642,000
18 is for White Oak Consolidation, other than the amounts
19 paid to the General Services Administration for rent; (9)
20 \$235,348,000 shall be for payments to the General Serv-
21 ices Administration for rent; and (10) \$336,191,000 shall
22 be for other activities, including the Office of the Commis-
23 sioner of Food and Drugs, the Office of Food Policy and
24 Response, the Office of Operations, the Office of the Chief
25 Scientist, and central services for these offices: *Provided*

1 *further*, That not to exceed \$25,000 of this amount shall
2 be for official reception and representation expenses, not
3 otherwise provided for, as determined by the Commis-
4 sioner: *Provided further*, That any transfer of funds pursu-
5 ant to section 770(n) of the Federal Food, Drug, and Cos-
6 metic Act (21 U.S.C. 379dd(n)) shall only be from
7 amounts made available under this heading for other ac-
8 tivities: *Provided further*, That of the amounts that are
9 made available under this heading for “other activities”,
10 and that are not derived from user fees, \$1,500,000 shall
11 be transferred to and merged with the appropriation for
12 “Department of Health and Human Services—Office of
13 Inspector General” for oversight of the programs and op-
14 erations of the Food and Drug Administration and shall
15 be in addition to funds otherwise made available for over-
16 sight of the Food and Drug Administration: *Provided fur-*
17 *ther*, That funds may be transferred from one specified
18 activity to another with the prior approval of the Commit-
19 tees on Appropriations of both Houses of Congress.

20 In addition, mammography user fees authorized by
21 42 U.S.C. 263b, export certification user fees authorized
22 by 21 U.S.C. 381, priority review user fees authorized by
23 21 U.S.C. 360n and 360ff, food and feed recall fees, food
24 reinspection fees, and voluntary qualified importer pro-
25 gram fees authorized by 21 U.S.C. 379j–31, outsourcing

1 facility fees authorized by 21 U.S.C. 379j–62, prescription
2 drug wholesale distributor licensing and inspection fees
3 authorized by 21 U.S.C. 353(e)(3), third-party logistics
4 provider licensing and inspection fees authorized by 21
5 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
6 by 21 U.S.C. 384d(c)(8), medical countermeasure priority
7 review voucher user fees authorized by 21 U.S.C. 360bbb–
8 4a, and fees relating to over-the-counter monograph drugs
9 authorized by 21 U.S.C. 379j–72 shall be credited to this
10 account, to remain available until expended.

11 BUILDINGS AND FACILITIES

12 For plans, construction, repair, improvement, exten-
13 sion, alteration, demolition, and purchase of fixed equip-
14 ment or facilities of or used by the Food and Drug Admin-
15 istration, where not otherwise provided, \$21,788,000, to
16 remain available until expended.

17 FDA INNOVATION ACCOUNT, CURES ACT

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses to carry out the purposes de-
20 scribed under section 1002(b)(4) of the 21st Century
21 Cures Act, in addition to amounts available for such pur-
22 poses under the heading “Salaries and Expenses”,
23 \$50,000,000, to remain available until expended: *Pro-*
24 *vided*, That amounts appropriated in this paragraph are
25 appropriated pursuant to section 1002(b)(3) of the 21st

1 Century Cures Act, are to be derived from amounts trans-
2 ferred under section 1002(b)(2)(A) of such Act, and may
3 be transferred by the Commissioner of Food and Drugs
4 to the appropriation for “Department of Health and
5 Human Services Food and Drug Administration Salaries
6 and Expenses” solely for the purposes provided in such
7 Act: *Provided further*, That upon a determination by the
8 Commissioner that funds transferred pursuant to the pre-
9 vious proviso are not necessary for the purposes provided,
10 such amounts may be transferred back to the account:
11 *Provided further*, That such transfer authority is in addi-
12 tion to any other transfer authority provided by law.

13 INDEPENDENT AGENCY

14 COMMODITY FUTURES TRADING COMMISSION

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses to carry out the provisions
17 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
18 cluding the purchase and hire of passenger motor vehicles,
19 and the rental of space (to include multiple year leases),
20 in the District of Columbia and elsewhere, \$332,000,000,
21 including not to exceed \$3,000 for official reception and
22 representation expenses, and not to exceed \$25,000 for the
23 expenses for consultations and meetings hosted by the
24 Commission with foreign governmental and other regu-
25 latory officials, of which not less than \$20,000,000 shall

1 remain available until September 30, 2023, and of which
2 not less than \$4,017,000 shall be for expenses of the Of-
3 fice of the Inspector General: *Provided*, That notwith-
4 standing the limitations in 31 U.S.C. 1553, amounts pro-
5 vided under this heading are available for the liquidation
6 of obligations equal to current year payments on leases
7 entered into prior to the date of enactment of this Act:
8 *Provided further*, That for the purpose of recording and
9 liquidating any lease obligations that should have been re-
10 corded and liquidated against accounts closed pursuant to
11 31 U.S.C. 1552, and consistent with the preceding pro-
12 viso, such amounts shall be transferred to and recorded
13 in a no-year account in the Treasury, which has been es-
14 tablished for the sole purpose of recording adjustments for
15 and liquidating such unpaid obligations.

16 In addition, for move, replication, and related costs
17 associated with replacement leases for the Commission's
18 facilities, not to exceed \$31,000,000, to remain available
19 until expended.

20 FARM CREDIT ADMINISTRATION

21 LIMITATION ON ADMINISTRATIVE EXPENSES

22 Not to exceed \$84,200,000 (from assessments col-
23 lected from farm credit institutions, including the Federal
24 Agricultural Mortgage Corporation) shall be obligated
25 during the current fiscal year for administrative expenses

1 as authorized under 12 U.S.C. 2249: *Provided*, That this
2 limitation shall not apply to expenses associated with re-
3 ceiverships: *Provided further*, That the agency may exceed
4 this limitation by up to 10 percent with notification to the
5 Committees on Appropriations of both Houses of Con-
6 gress: *Provided further*, That the purposes of section
7 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.
8 2128(b)(2)(A)(i)), the Farm Credit Administration may
9 exempt, an amount in its sole discretion, from the applica-
10 tion of the limitation provided in that clause of export
11 loans described in the clause guaranteed or insured in a
12 manner other than described in subclause (II) of the
13 clause.

14 TITLE VII

15 GENERAL PROVISIONS

16 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

17 SEC. 701. The Secretary may use any appropriations
18 made available to the Department of Agriculture in this
19 Act to purchase new passenger motor vehicles, in addition
20 to specific appropriations for this purpose, so long as the
21 total number of vehicles purchased in fiscal year 2022
22 does not exceed the number of vehicles owned or leased
23 in fiscal year 2018: *Provided*, That, prior to purchasing
24 additional motor vehicles, the Secretary must determine
25 that such vehicles are necessary for transportation safety,

1 to reduce operational costs, and for the protection of life,
2 property, and public safety: *Provided further*, That the
3 Secretary may not increase the Department of Agri-
4 culture's fleet above the 2018 level unless the Secretary
5 notifies in writing, and receives approval from, the Com-
6 mittees on Appropriations of both Houses of Congress
7 within 30 days of the notification.

8 SEC. 702. Notwithstanding any other provision of
9 this Act, the Secretary of Agriculture may transfer unobli-
10 gated balances of discretionary funds appropriated by this
11 Act or any other available unobligated discretionary bal-
12 ances that are remaining available of the Department of
13 Agriculture to the Working Capital Fund for the acquisi-
14 tion of plant and capital equipment necessary for the deliv-
15 ery of financial, administrative, and information tech-
16 nology services of primary benefit to the agencies of the
17 Department of Agriculture, such transferred funds to re-
18 main available until expended: *Provided*, That none of the
19 funds made available by this Act or any other Act shall
20 be transferred to the Working Capital Fund without the
21 prior approval of the agency administrator: *Provided fur-*
22 *ther*, That none of the funds transferred to the Working
23 Capital Fund pursuant to this section shall be available
24 for obligation without written notification to and the prior
25 approval of the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That none of the
2 funds appropriated by this Act or made available to the
3 Department's Working Capital Fund shall be available for
4 obligation or expenditure to make any changes to the De-
5 partment's National Finance Center without written noti-
6 fication to and prior approval of the Committees on Ap-
7 propriations of both Houses of Congress as required by
8 section 716 of this Act: *Provided further*, That none of
9 the funds appropriated by this Act or made available to
10 the Department's Working Capital Fund shall be available
11 for obligation or expenditure to initiate, plan, develop, im-
12 plement, or make any changes to remove or relocate any
13 systems, missions, personnel, or functions of the offices
14 of the Chief Financial Officer and the Chief Information
15 Officer, co-located with or from the National Finance Cen-
16 ter prior to written notification to and prior approval of
17 the Committee on Appropriations of both Houses of Con-
18 gress and in accordance with the requirements of section
19 716 of this Act: *Provided further*, That the National Fi-
20 nance Center Information Technology Services Division
21 personnel and data center management responsibilities,
22 and control of any functions, missions, and systems for
23 current and future human resources management and in-
24 tegrated personnel and payroll systems (PPS) and func-
25 tions provided by the Chief Financial Officer and the Chief

1 Information Officer shall remain in the National Finance
2 Center and under the management responsibility and ad-
3 ministrative control of the National Finance Center: *Pro-*
4 *vided further*, That the Secretary of Agriculture and the
5 offices of the Chief Financial Officer shall actively market
6 to existing and new Departments and other government
7 agencies National Finance Center shared services includ-
8 ing, but not limited to, payroll, financial management, and
9 human capital shared services and allow the National Fi-
10 nance Center to perform technology upgrades: *Provided*
11 *further*, That of annual income amounts in the Working
12 Capital Fund of the Department of Agriculture attrib-
13 utable to the amounts in excess of the true costs of the
14 shared services provided by the National Finance Center
15 and budgeted for the National Finance Center, the Sec-
16 retary shall reserve not more than 4 percent for the re-
17 placement or acquisition of capital equipment, including
18 equipment for the improvement, delivery, and implementa-
19 tion of financial, administrative, and information tech-
20 nology services, and other systems of the National Finance
21 Center or to pay any unforeseen, extraordinary cost of the
22 National Finance Center: *Provided further*, That none of
23 the amounts reserved shall be available for obligation un-
24 less the Secretary submits written notification of the obli-
25 gation to the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That the limitations
2 on the obligation of funds pending notification to Congres-
3 sional Committees shall not apply to any obligation that,
4 as determined by the Secretary, is necessary to respond
5 to a declared state of emergency that significantly impacts
6 the operations of the National Finance Center; or to evac-
7 uate employees of the National Finance Center to a safe
8 haven to continue operations of the National Finance Cen-
9 ter.

10 SEC. 703. No part of any appropriation contained in
11 this Act shall remain available for obligation beyond the
12 current fiscal year unless expressly so provided herein.

13 SEC. 704. No funds appropriated by this Act may be
14 used to pay negotiated indirect cost rates on cooperative
15 agreements or similar arrangements between the United
16 States Department of Agriculture and nonprofit institu-
17 tions in excess of 10 percent of the total direct cost of
18 the agreement when the purpose of such cooperative ar-
19 rangements is to carry out programs of mutual interest
20 between the two parties. This does not preclude appro-
21 priate payment of indirect costs on grants and contracts
22 with such institutions when such indirect costs are com-
23 puted on a similar basis for all agencies for which appro-
24 priations are provided in this Act.

1 SEC. 705. Appropriations to the Department of Agri-
2 culture for the cost of direct and guaranteed loans made
3 available in the current fiscal year shall remain available
4 until expended to disburse obligations made in the current
5 fiscal year for the following accounts: the Rural Develop-
6 ment Loan Fund program account, the Rural Electrifica-
7 tion and Telecommunication Loans program account, and
8 the Rural Housing Insurance Fund program account.

9 SEC. 706. None of the funds made available to the
10 Department of Agriculture by this Act may be used to ac-
11 quire new information technology systems or significant
12 upgrades, as determined by the Office of the Chief Infor-
13 mation Officer, without the approval of the Chief Informa-
14 tion Officer and the concurrence of the Executive Informa-
15 tion Technology Investment Review Board: *Provided*, That
16 notwithstanding any other provision of law, none of the
17 funds appropriated or otherwise made available by this
18 Act may be transferred to the Office of the Chief Informa-
19 tion Officer without written notification to and the prior
20 approval of the Committees on Appropriations of both
21 Houses of Congress: *Provided further*, That, notwith-
22 standing section 11319 of title 40, United States Code,
23 none of the funds available to the Department of Agri-
24 culture for information technology shall be obligated for
25 projects, contracts, or other agreements over \$25,000

1 prior to receipt of written approval by the Chief Informa-
2 tion Officer: *Provided further*, That the Chief Information
3 Officer may authorize an agency to obligate funds without
4 written approval from the Chief Information Officer for
5 projects, contracts, or other agreements up to \$250,000
6 based upon the performance of an agency measured
7 against the performance plan requirements described in
8 the explanatory statement accompanying Public Law 113–
9 235.

10 SEC. 707. Funds made available under section 524(b)
11 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
12 the current fiscal year shall remain available until ex-
13 pended to disburse obligations made in the current fiscal
14 year.

15 SEC. 708. Notwithstanding any other provision of
16 law, any former Rural Utilities Service borrower that has
17 repaid or prepaid an insured, direct or guaranteed loan
18 under the Rural Electrification Act of 1936, or any not-
19 for-profit utility that is eligible to receive an insured or
20 direct loan under such Act, shall be eligible for assistance
21 under section 313B(a) of such Act in the same manner
22 as a borrower under such Act.

23 SEC. 709. (a) Except as otherwise specifically pro-
24 vided by law, not more than \$20,000,000 in unobligated
25 balances from appropriations made available for salaries

1 and expenses in this Act for the Farm Service Agency
2 shall remain available through September 30, 2023, for
3 information technology expenses.

4 (b) Except as otherwise specifically provided by law,
5 not more than \$20,000,000 in unobligated balances from
6 appropriations made available for salaries and expenses in
7 this Act for the Rural Development mission area shall re-
8 main available through September 30, 2023, for informa-
9 tion technology expenses.

10 SEC. 710. None of the funds appropriated or other-
11 wise made available by this Act may be used for first-class
12 travel by the employees of agencies funded by this Act in
13 contravention of sections 301–10.122 through 301–10.124
14 of title 41, Code of Federal Regulations.

15 SEC. 711. In the case of each program established
16 or amended by the Agricultural Act of 2014 (Public Law
17 113–79) or by a successor to that Act, other than by title
18 I or subtitle A of title III of such Act, or programs for
19 which indefinite amounts were provided in that Act, that
20 is authorized or required to be carried out using funds
21 of the Commodity Credit Corporation—

22 (1) such funds shall be available for salaries
23 and related administrative expenses, including tech-
24 nical assistance, associated with the implementation
25 of the program, without regard to the limitation on

1 the total amount of allotments and fund transfers
2 contained in section 11 of the Commodity Credit
3 Corporation Charter Act (15 U.S.C. 714i); and

4 (2) the use of such funds for such purpose shall
5 not be considered to be a fund transfer or allotment
6 for purposes of applying the limitation on the total
7 amount of allotments and fund transfers contained
8 in such section.

9 SEC. 712. Of the funds made available by this Act,
10 not more than \$2,900,000 shall be used to cover necessary
11 expenses of activities related to all advisory committees,
12 panels, commissions, and task forces of the Department
13 of Agriculture, except for panels used to comply with nego-
14 tiated rule makings and panels used to evaluate competi-
15 tively awarded grants.

16 SEC. 713. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

20 (b) Nothing in subsection (a) shall limit the use of
21 funds necessary for any Federal, State, tribal, or local law
22 enforcement agency or any other entity carrying out crimi-
23 nal investigations, prosecution, or adjudication activities.

24 SEC. 714. Notwithstanding subsection (b) of section
25 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this

1 section referred to as “section 14222”), none of the funds
2 appropriated or otherwise made available by this or any
3 other Act shall be used to pay the salaries and expenses
4 of personnel to carry out a program under section 32 of
5 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
6 referred to as “section 32”) in excess of \$1,391,211,000
7 (exclusive of carryover appropriations from prior fiscal
8 years), as follows: Child Nutrition Programs Entitlement
9 Commodities—\$485,000,000; State Option Contracts—
10 \$5,000,000; Removal of Defective Commodities—
11 \$2,500,000; Administration of Section 32 Commodity
12 Purchases—\$36,810,000: *Provided*, That of the total
13 funds made available in the matter preceding this proviso
14 that remain unobligated on October 1, 2022, such unobli-
15 gated balances shall carryover into fiscal year 2023 and
16 shall remain available until expended for any of the pur-
17 poses of section 32, except that any such carryover funds
18 used in accordance with clause (3) of section 32 may not
19 exceed \$350,000,000 and may not be obligated until the
20 Secretary of Agriculture provides written notification of
21 the expenditures to the Committees on Appropriations of
22 both Houses of Congress at least two weeks in advance:
23 *Provided further*, That, with the exception of any available
24 carryover funds authorized in any prior appropriations Act
25 to be used for the purposes of clause (3) of section 32,

1 none of the funds appropriated or otherwise made avail-
2 able by this or any other Act shall be used to pay the
3 salaries or expenses of any employee of the Department
4 of Agriculture to carry out clause (3) of section 32.

5 SEC. 715. None of the funds appropriated by this or
6 any other Act shall be used to pay the salaries and ex-
7 penses of personnel who prepare or submit appropriations
8 language as part of the President's budget submission to
9 the Congress for programs under the jurisdiction of the
10 Appropriations Subcommittees on Agriculture, Rural De-
11 velopment, Food and Drug Administration, and Related
12 Agencies that assumes revenues or reflects a reduction
13 from the previous year due to user fees proposals that
14 have not been enacted into law prior to the submission
15 of the budget unless such budget submission identifies
16 which additional spending reductions should occur in the
17 event the user fees proposals are not enacted prior to the
18 date of the convening of a committee of conference for
19 the fiscal year 2023 appropriations Act.

20 SEC. 716. (a) None of the funds provided by this Act,
21 or provided by previous appropriations Acts to the agen-
22 cies funded by this Act that remain available for obligation
23 or expenditure in the current fiscal year, or provided from
24 any accounts in the Treasury derived by the collection of
25 fees available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-
2 programming, transfer of funds, or reimbursements as au-
3 thorized by the Economy Act, or in the case of the Depart-
4 ment of Agriculture, through use of the authority provided
5 by section 702(b) of the Department of Agriculture Or-
6 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
7 Law 89–106 (7 U.S.C. 2263), that—

8 (1) creates new programs;

9 (2) eliminates a program, project, or activity;

10 (3) increases funds or personnel by any means
11 for any project or activity for which funds have been
12 denied or restricted;

13 (4) relocates an office or employees;

14 (5) reorganizes offices, programs, or activities;

15 or

16 (6) contracts out or privatizes any functions or
17 activities presently performed by Federal employees;

18 unless the Secretary of Agriculture, the Secretary of
19 Health and Human Services, or the Chairman of the Com-
20 modity Futures Trading Commission (as the case may be)
21 notifies in writing and receives approval from the Commit-
22 tees on Appropriations of both Houses of Congress at least
23 30 days in advance of the reprogramming of such funds
24 or the use of such authority.

1 (b) None of the funds provided by this Act, or pro-
2 vided by previous Appropriations Acts to the agencies
3 funded by this Act that remain available for obligation or
4 expenditure in the current fiscal year, or provided from
5 any accounts in the Treasury derived by the collection of
6 fees available to the agencies funded by this Act, shall be
7 available for obligation or expenditure for activities, pro-
8 grams, or projects through a reprogramming or use of the
9 authorities referred to in subsection (a) involving funds
10 in excess of \$500,000 or 10 percent, whichever is less,
11 that—

12 (1) augments existing programs, projects, or ac-
13 tivities;

14 (2) reduces by 10 percent funding for any exist-
15 ing program, project, or activity, or numbers of per-
16 sonnel by 10 percent as approved by Congress; or

17 (3) results from any general savings from a re-
18 duction in personnel which would result in a change
19 in existing programs, activities, or projects as ap-
20 proved by Congress;

21 unless the Secretary of Agriculture, the Secretary of
22 Health and Human Services, or the Chairman of the Com-
23 modity Futures Trading Commission (as the case may be)
24 notifies in writing and receives approval from the Commit-
25 tees on Appropriations of both Houses of Congress at least

1 30 days in advance of the reprogramming or transfer of
2 such funds or the use of such authority.

3 (c) The Secretary of Agriculture, the Secretary of
4 Health and Human Services, or the Chairman of the Com-
5 modity Futures Trading Commission shall notify in writ-
6 ing and receive approval from the Committees on Appro-
7 priations of both Houses of Congress before implementing
8 any program or activity not carried out during the pre-
9 vious fiscal year unless the program or activity is funded
10 by this Act or specifically funded by any other Act.

11 (d) None of the funds provided by this Act, or pro-
12 vided by previous Appropriations Acts to the agencies
13 funded by this Act that remain available for obligation or
14 expenditure in the current fiscal year, or provided from
15 any accounts in the Treasury derived by the collection of
16 fees available to the agencies funded by this Act, shall be
17 available for—

18 (1) modifying major capital investments fund-
19 ing levels, including information technology systems,
20 that involves increasing or decreasing funds in the
21 current fiscal year for the individual investment in
22 excess of \$500,000 or 10 percent of the total cost,
23 whichever is less;

24 (2) realigning or reorganizing new, current, or
25 vacant positions or agency activities or functions to

1 establish a center, office, branch, or similar entity
2 with five or more personnel; or
3 (3) carrying out activities or functions that
4 were not described in the budget request;
5 unless the agencies funded by this Act notify, in writing,
6 the Committees on Appropriations of both Houses of Con-
7 gress at least 30 days in advance of using the funds for
8 these purposes.

9 (e) As described in this section, no funds may be used
10 for any activities unless the Secretary of Agriculture, the
11 Secretary of Health and Human Services, or the Chair-
12 man of the Commodity Futures Trading Commission re-
13 ceives from the Committee on Appropriations of both
14 Houses of Congress written or electronic mail confirma-
15 tion of receipt of the notification as required in this sec-
16 tion.

17 SEC. 717. Notwithstanding section 310B(g)(5) of the
18 Consolidated Farm and Rural Development Act (7 U.S.C.
19 1932(g)(5)), the Secretary may assess a one-time fee for
20 any guaranteed business and industry loan in an amount
21 that does not exceed 3 percent of the guaranteed principal
22 portion of the loan.

23 SEC. 718. None of the funds appropriated or other-
24 wise made available to the Department of Agriculture, the
25 Food and Drug Administration, the Commodity Futures

1 Trading Commission, or the Farm Credit Administration
2 shall be used to transmit or otherwise make available re-
3 ports, questions, or responses to questions that are a re-
4 sult of information requested for the appropriations hear-
5 ing process to any non-Department of Agriculture, non-
6 Department of Health and Human Services, non-Com-
7 modity Futures Trading Commission, or non-Farm Credit
8 Administration employee.

9 SEC. 719. Unless otherwise authorized by existing
10 law, none of the funds provided in this Act, may be used
11 by an executive branch agency to produce any pre-
12 packaged news story intended for broadcast or distribution
13 in the United States unless the story includes a clear noti-
14 fication within the text or audio of the prepackaged news
15 story that the prepackaged news story was prepared or
16 funded by that executive branch agency.

17 SEC. 720. No employee of the Department of Agri-
18 culture may be detailed or assigned from an agency or
19 office funded by this Act or any other Act to any other
20 agency or office of the Department for more than 60 days
21 in a fiscal year unless the individual's employing agency
22 or office is fully reimbursed by the receiving agency or
23 office for the salary and expenses of the employee for the
24 period of assignment.

1 SEC. 721. Not later than 30 days after the date of
2 enactment of this Act, the Secretary of Agriculture, the
3 Commissioner of the Food and Drug Administration, the
4 Chairman of the Commodity Futures Trading Commis-
5 sion, and the Chairman of the Farm Credit Administra-
6 tion shall submit to the Committees on Appropriations of
7 both Houses of Congress a detailed spending plan by pro-
8 gram, project, and activity for all the funds made available
9 under this Act including appropriated user fees, as defined
10 in the report accompanying this Act.

11 SEC. 722. Of the unobligated balances from amounts
12 made available for the supplemental nutrition program as
13 authorized by section 17 of the Child Nutrition Act of
14 1966 (42 U.S.C. 1786), \$225,000,000 are hereby re-
15 scinded: *Provided*, That no amounts may be rescinded
16 from amounts that were designated by the Congress as
17 an emergency requirement pursuant to a Concurrent Res-
18 olution on the Budget or the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985.

20 SEC. 723. For the purposes of determining eligibility
21 or level of program assistance for Rural Development pro-
22 grams the Secretary shall not include incarcerated prison
23 populations.

24 SEC. 724. For loans and loan guarantees that do not
25 require budget authority and the program level has been

1 established in this Act, the Secretary of Agriculture may
2 increase the program level for such loans and loan guaran-
3 tees by not more than 25 percent: *Provided*, That prior
4 to the Secretary implementing such an increase, the Sec-
5 retary notifies, in writing, the Committees on Appropria-
6 tions of both Houses of Congress at least 15 days in ad-
7 vance.

8 SEC. 725. None of the credit card refunds or rebates
9 transferred to the Working Capital Fund pursuant to sec-
10 tion 729 of the Agriculture, Rural Development, Food and
11 Drug Administration, and Related Agencies Appropria-
12 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
13 shall be available for obligation without written notifica-
14 tion to, and the prior approval of, the Committees on Ap-
15 propriations of both Houses of Congress: *Provided*, That
16 the refunds or rebates so transferred shall be available for
17 obligation only for the acquisition of property, plant and
18 equipment, including equipment for the improvement, de-
19 livery, and implementation of Departmental financial
20 management, information technology, and other support
21 systems necessary for the delivery of financial, administra-
22 tive, and information technology services, including cloud
23 adoption and migration, of primary benefit to the agencies
24 of the Department of Agriculture.

1 SEC. 726. None of the funds made available by this
2 Act may be used to implement, administer, or enforce the
3 “variety” requirements of the final rule entitled “Enhanc-
4 ing Retailer Standards in the Supplemental Nutrition As-
5 sistance Program (SNAP)” published by the Department
6 of Agriculture in the Federal Register on December 15,
7 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
8 culture amends the definition of the term “variety” as de-
9 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
10 eral Regulations, and “variety” as applied in the definition
11 of the term “staple food” as defined in section 271.2 of
12 title 7, Code of Federal Regulations, to increase the num-
13 ber of items that qualify as acceptable varieties in each
14 staple food category so that the total number of such items
15 in each staple food category exceeds the number of such
16 items in each staple food category included in the final
17 rule as published on December 15, 2016: *Provided*, That
18 until the Secretary promulgates such regulatory amend-
19 ments, the Secretary shall apply the requirements regard-
20 ing acceptable varieties and breadth of stock to Supple-
21 mental Nutrition Assistance Program retailers that were
22 in effect on the day before the date of the enactment of
23 the Agricultural Act of 2014 (Public Law 113–79).

24 SEC. 727. In carrying out subsection (h) of section
25 502 of the Housing Act of 1949 (42 U.S.C. 1472), the

1 Secretary of Agriculture shall have the same authority
2 with respect to loans guaranteed under such section and
3 eligible lenders for such loans as the Secretary has under
4 subsections (h) and (j) of section 538 of such Act (42
5 U.S.C. 1490p-2) with respect to loans guaranteed under
6 such section 538 and eligible lenders for such loans.

7 SEC. 728. None of the funds appropriated or other-
8 wise made available by this Act shall be available for the
9 United States Department of Agriculture to propose, fi-
10 nalize or implement any regulation that would promulgate
11 new user fees pursuant to 31 U.S.C. 9701 after the date
12 of the enactment of this Act.

13 SEC. 729. None of the funds made available by this
14 or any other Act may be used to carry out the final rule
15 promulgated by the Food and Drug Administration and
16 put into effect November 16, 2015, in regards to the haz-
17 ard analysis and risk-based preventive control require-
18 ments of the current good manufacturing practice, hazard
19 analysis, and risk-based preventive controls for food for
20 animals rule with respect to the regulation of the produc-
21 tion, distribution, sale, or receipt of dried spent grain by-
22 products of the alcoholic beverage production process.

23 SEC. 730. The National Bio and Agro-Defense Facil-
24 ity shall be transferred this or any fiscal year hereafter

1 without reimbursement from the Secretary of Homeland
2 Security to the Secretary of Agriculture.

3 SEC. 731. (a) The Secretary of Agriculture shall—

4 (1) conduct audits in a manner that evaluates
5 the following factors in the country or region being
6 audited, as applicable—

7 (A) veterinary control and oversight;

8 (B) disease history and vaccination prac-
9 tices;

10 (C) livestock demographics and
11 traceability;

12 (D) epidemiological separation from poten-
13 tial sources of infection;

14 (E) surveillance practices;

15 (F) diagnostic laboratory capabilities; and

16 (G) emergency preparedness and response;

17 and

18 (2) promptly make publicly available the final
19 reports of any audits or reviews conducted pursuant
20 to subsection (1).

21 (b) This section shall be applied in a manner con-
22 sistent with United States obligations under its inter-
23 national trade agreements.

24 SEC. 732. None of the funds made available by this
25 Act may be used to implement section 3.7(f) of the Farm

1 Credit Act of 1971 in a manner inconsistent with section
2 343(a)(13) of the Consolidated Farm and Rural Develop-
3 ment Act.

4 SEC. 733. In this fiscal year and thereafter, and not-
5 withstanding any other provision of law, none of the funds
6 made available by this Act may be used to carry out any
7 activities or incur any expense related to the issuance of
8 licenses under section 3 of the Animal Welfare Act (7
9 U.S.C. 2133), or the renewal of such licenses, to class B
10 dealers who sell Random Source dogs and cats for use in
11 research, experiments, teaching, or testing.

12 SEC. 734. (a)(1) No Federal funds made available for
13 this fiscal year for the rural water, waste water, waste dis-
14 posal, and solid waste management programs authorized
15 by sections 306, 306A, 306C, 306D, 306E, and 310B of
16 the Consolidated Farm and Rural Development Act (7
17 U.S.C. 1926 et seq.) shall be used for a project for the
18 construction, alteration, maintenance, or repair of a public
19 water or wastewater system unless all of the iron and steel
20 products used in the project are produced in the United
21 States.

22 (2) In this section, the term “iron and steel products”
23 means the following products made primarily of iron or
24 steel: lined or unlined pipes and fittings, manhole covers
25 and other municipal castings, hydrants, tanks, flanges,

1 pipe clamps and restraints, valves, structural steel, rein-
2 forced precast concrete, and construction materials.

3 (b) Subsection (a) shall not apply in any case or cat-
4 egory of cases in which the Secretary of Agriculture (in
5 this section referred to as the “Secretary”) or the designee
6 of the Secretary finds that—

7 (1) applying subsection (a) would be incon-
8 sistent with the public interest;

9 (2) iron and steel products are not produced in
10 the United States in sufficient and reasonably avail-
11 able quantities or of a satisfactory quality; or

12 (3) inclusion of iron and steel products pro-
13 duced in the United States will increase the cost of
14 the overall project by more than 25 percent.

15 (c) If the Secretary or the designee receives a request
16 for a waiver under this section, the Secretary or the des-
17 ignee shall make available to the public on an informal
18 basis a copy of the request and information available to
19 the Secretary or the designee concerning the request, and
20 shall allow for informal public input on the request for
21 at least 15 days prior to making a finding based on the
22 request. The Secretary or the designee shall make the re-
23 quest and accompanying information available by elec-
24 tronic means, including on the official public Internet Web
25 site of the Department.

1 (d) This section shall be applied in a manner con-
2 sistent with United States obligations under international
3 agreements.

4 (e) The Secretary may retain up to 0.25 percent of
5 the funds appropriated in this Act for “Rural Utilities
6 Service—Rural Water and Waste Disposal Program Ac-
7 count” for carrying out the provisions described in sub-
8 section (a)(1) for management and oversight of the re-
9 quirements of this section.

10 (f) Subsection (a) shall not apply with respect to a
11 project for which the engineering plans and specifications
12 include use of iron and steel products otherwise prohibited
13 by such subsection if the plans and specifications have re-
14 ceived required approvals from State agencies prior to the
15 date of enactment of this Act.

16 (g) For purposes of this section, the terms “United
17 States” and “State” shall include each of the several
18 States, the District of Columbia, and each Federally rec-
19 ognized Indian tribe.

20 SEC. 735. None of the funds appropriated by this Act
21 may be used in any way, directly or indirectly, to influence
22 congressional action on any legislation or appropriation
23 matters pending before Congress, other than to commu-
24 nicate to Members of Congress as described in 18 U.S.C.
25 1913.

1 SEC. 736. Of the total amounts made available by
2 this Act for direct loans and grants under the following
3 headings: “Rural Housing Service—Rural Housing Insur-
4 ance Fund Program Account”; “Rural Housing Service—
5 Mutual and Self-Help Housing Grants”; “Rural Housing
6 Service—Rural Housing Assistance Grants”; “Rural
7 Housing Service—Rural Community Facilities Program
8 Account”; “Rural Business-Cooperative Service—Rural
9 Business Program Account”; “Rural Business-Coopera-
10 tive Service—Rural Economic Development Loans Pro-
11 gram Account”; “Rural Business-Cooperative Service—
12 Rural Cooperative Development Grants”; “Rural Busi-
13 ness-Cooperative Service—Rural Microentrepreneur As-
14 sistance Program”; “Rural Utilities Service—Rural Water
15 and Waste Disposal Program Account”; “Rural Utilities
16 Service—Rural Electrification and Telecommunications
17 Loans Program Account”; and “Rural Utilities Service—
18 Distance Learning, Telemedicine, and Broadband Pro-
19 gram”, to the maximum extent feasible, at least 10 per-
20 cent of the funds shall be allocated for assistance in per-
21 sistent poverty counties under this section, including, not-
22 withstanding any other provision regarding population
23 limits, any county seat of such a persistent poverty county
24 that has a population that does not exceed the authorized
25 population limit by more than 10 percent: *Provided*, That

1 for purposes of this section, the term “persistent poverty
2 counties” means any county that has had 20 percent or
3 more of its population living in poverty over the past 30
4 years, as measured by the 1990 and 2000 decennial cen-
5 suses, and 2007–2011 American Community Survey 5-
6 year average, or any territory or possession of the United
7 States: *Provided further*, That with respect to specific ac-
8 tivities for which program levels have been made available
9 by this Act that are not supported by budget authority,
10 the requirements of this section shall be applied to such
11 program level.

12 SEC. 737. None of the funds made available by this
13 Act may be used to notify a sponsor or otherwise acknowl-
14 edge receipt of a submission for an exemption for inves-
15 tigational use of a drug or biological product under section
16 505(i) of the Federal Food, Drug, and Cosmetic Act (21
17 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
18 Service Act (42 U.S.C. 262(a)(3)) in research in which
19 a human embryo is intentionally created or modified to
20 include a heritable genetic modification. Any such submis-
21 sion shall be deemed to have not been received by the Sec-
22 retary, and the exemption may not go into effect.

23 SEC. 738. None of the funds made available by this
24 or any other Act may be used to enforce the final rule
25 promulgated by the Food and Drug Administration enti-

1 tled “Standards for the Growing, Harvesting, Packing,
2 and Holding of Produce for Human Consumption,” and
3 published on November 27, 2015, with respect to the regu-
4 lation of entities that grow, harvest, pack, or hold wine
5 grapes, hops, pulse crops, or almonds.

6 SEC. 739. There is hereby appropriated \$5,000,000,
7 to remain available until September 30, 2023, for a pilot
8 program for the National Institute of Food and Agri-
9 culture to provide grants to nonprofit organizations for
10 programs and services to establish and enhance farming
11 and ranching opportunities for military veterans.

12 SEC. 740. For school year 2022–2023, none of the
13 funds made available by this Act may be used to imple-
14 ment or enforce the matter following the first comma in
15 the second sentence of footnote (c) of section 220.8(c) of
16 title 7, Code of Federal Regulations, with respect to the
17 substitution of vegetables for fruits under the school
18 breakfast program established under section 4 of the Child
19 Nutrition Act of 1966 (42 U.S.C. 1773).

20 SEC. 741. None of the funds made available by this
21 Act or any other Act may be used—

22 (1) in contravention of section 7606 of the Ag-
23 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G
24 of the Agricultural Marketing Act of 1946, or sec-

1 tion 10114 of the Agriculture Improvement Act of
2 2018; or

3 (2) to prohibit the transportation, processing,
4 sale, or use of hemp, or seeds of such plant, that is
5 grown or cultivated in accordance with section 7606
6 of the Agricultural Act of 2014 (7 U.S.C. 5940) or
7 Subtitle G of the Agricultural Marketing Act of
8 1946, within or outside the State in which the indus-
9 trial hemp is grown or cultivated.

10 SEC. 742. There is hereby appropriated \$3,000,000,
11 to remain available until expended, for grants under sec-
12 tion 12502 of Public Law 115–334.

13 SEC. 743. There is hereby appropriated \$3,000,000
14 to carry out section 1621 of Public Law 110–246.

15 SEC. 744. There is hereby appropriated \$1,000,000
16 to carry out section 3307 of Public Law 115–334.

17 SEC. 745. The Secretary of Agriculture may waive
18 the matching funds requirement under Section 412(g) of
19 the Agricultural Research, Extension, and Education Re-
20 form Act of 1998 (7 U.S.C. 7632(g)).

21 SEC. 746. There is hereby appropriated \$2,000,000,
22 to remain available until expended, for a pilot program
23 for the Secretary to provide grants to qualified non-profit
24 organizations and public housing authorities to provide
25 technical assistance, including financial and legal services,

1 to RHS multi-family housing borrowers to facilitate the
2 acquisition of RHS multi-family housing properties in
3 areas where the Secretary determines a risk of loss of af-
4 fordable housing, by non-profit housing organizations and
5 public housing authorities as authorized by law that com-
6 mit to keep such properties in the RHS multi-family hous-
7 ing program for a period of time as determined by the
8 Secretary.

9 SEC. 747. There is hereby appropriated \$3,000,000,
10 to remain available until September 30, 2023, to carry out
11 section 4208 of Public Law 115–334.

12 SEC. 748. There is hereby appropriated \$5,000,000
13 to carry out section 12301 of Public Law 115–334.

14 SEC. 749. There is hereby appropriated \$5,000,000
15 to carry out section 1450 of the National Agricultural Re-
16 search, Extension, and Teaching Policy Act of 1977 (7
17 U.S.C. 3222e) as amended by section 7120 of Public Law
18 115–334.

19 SEC. 750. There is hereby appropriated \$2,000,000
20 to carry out section 1671 of the Food, Agriculture, Con-
21 servation, and Trade Act of 1990 (7 U.S.C. 5924) as
22 amended by section 7208 of Public Law 115–334.

23 SEC. 751. In response to an eligible community where
24 the drinking water supplies are inadequate due to a nat-
25 ural disaster, as determined by the Secretary, including

1 drought or severe weather, the Secretary may provide po-
2 table water through the Emergency Community Water As-
3 sistance Grant Program for an additional period of time
4 not to exceed 120 days beyond the established period pro-
5 vided under the Program in order to protect public health.

6 SEC. 752. There is hereby appropriated \$10,000,000
7 to remain available until September 30, 2023, to carry out
8 section 4206 of Public Law 115–334.

9 SEC. 753. Funds made available under title II of the
10 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
11 used to provide assistance to recipient nations if adequate
12 monitoring and controls, as determined by the Adminis-
13 trator, are in place to ensure that emergency food aid is
14 received by the intended beneficiaries in areas affected by
15 food shortages and not diverted for unauthorized or inap-
16 propriate purposes.

17 SEC. 754. In this fiscal year and thereafter, and not-
18 withstanding any other provision of law, ARS facilities as
19 described in the “Memorandum of Understanding Be-
20 tween the U.S. Department of Agriculture Animal and
21 Plant Health Inspection Service (APHIS) and the U.S.
22 Department of Agriculture Agricultural Research Service
23 (ARS) Concerning Laboratory Animal Welfare” (16–
24 6100–0103–MU Revision 16–1) shall be inspected by

1 APHIS for compliance with the Animal Welfare Act and
2 its regulations and standards.

3 SEC. 755. None of the funds made available by this
4 Act may be used to procure raw or processed poultry prod-
5 ucts imported into the United States from the People's
6 Republic of China for use in the school lunch program
7 under the Richard B. Russell National School Lunch Act
8 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
9 Program under section 17 of such Act (42 U.S.C. 1766),
10 the Summer Food Service Program for Children under
11 section 13 of such Act (42 U.S.C. 1761), or the school
12 breakfast program under the Child Nutrition Act of 1966
13 (42 U.S.C. 1771 et seq.).

14 SEC. 756. For school year 2022–2023, only a school
15 food authority that had a negative balance in the nonprofit
16 school food service account as of December 31, 2021, shall
17 be required to establish a price for paid lunches in accord-
18 ance with section 12(p) of the Richard B. Russell National
19 School Lunch Act (42 U.S.C. 1760(p)).

20 SEC. 757. In addition to any funds made available
21 in this Act or any other Act, there is hereby appropriated
22 \$10,000,000, to remain available until September 30,
23 2023, for grants from the National Institute of Food and
24 Agriculture to the 1890 Institutions to support the Cen-
25 ters of Excellence.

1 SEC. 758. There is hereby appropriated \$2,000,000,
2 to remain available until expended, for the Secretary of
3 Agriculture to carry out a pilot program that assists rural
4 hospitals to improve long-term operations and financial
5 health by providing technical assistance through analysis
6 of current hospital management practices.

7 SEC. 759. In addition to amounts otherwise made
8 available by this or any other Act, there is hereby appro-
9 priated \$5,000,000, to remain available until expended, to
10 the Secretary for a pilot program to provide grants to a
11 regional consortium to fund technical assistance and con-
12 struction of regional wastewater systems for historically
13 impoverished communities that have had difficulty in in-
14 stalling traditional wastewater treatment systems due to
15 soil conditions.

16 SEC. 760. There is hereby appropriated \$10,000,000,
17 to remain available until September 30, 2023, to carry out
18 section 23 of the Child Nutrition Act of 1966 (42 U.S.C.
19 1793), of which \$2,000,000 shall be for grants under such
20 section to the Commonwealth of Puerto Rico, the Com-
21 monwealth of the Northern Mariana Islands, the United
22 States Virgin Islands, Guam, and American Samoa.

23 SEC. 761. Any funds made available by this or any
24 other Act that the Secretary withholds pursuant to section
25 1668(g)(2) of the Food, Agriculture, Conservation, and

1 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,
2 shall be available for grants for biotechnology risk assess-
3 ment research: *Provided*, That the Secretary may transfer
4 such funds among appropriations of the Department of
5 Agriculture for purposes of making such grants.

6 SEC. 762. Section 313(b) of the Rural Electrification
7 Act of 1936, as amended (7 U.S.C. 940c(b)), shall be ap-
8 plied for fiscal year 2022 and each fiscal year thereafter
9 until the specified funding has been expended as if the
10 following were inserted after the final period in subsection
11 (b)(2): “In addition, the Secretary shall use \$425,000,000
12 of funds available in this subaccount in fiscal year 2019
13 for an additional amount for the same purpose and under
14 the same terms and conditions as funds appropriated by
15 section 779 of Public Law 115–141, shall use
16 \$255,000,000 of funds available in this subaccount in fis-
17 cal year 2020 for an additional amount for the same pur-
18 pose and under the same terms and conditions as funds
19 appropriated by section 779 of Public Law 115–141, shall
20 use \$104,000,000 of funds available in this subaccount in
21 fiscal year 2021 for an additional amount for the same
22 purpose and under the same terms and conditions as
23 funds appropriated by section 779 of Public Law 115–
24 141, and shall use \$50,000,000 of funds available in this
25 subaccount in fiscal year 2022 for an additional amount

1 for the same purpose and under the same terms and condi-
2 tions as funds appropriated by section 779 of Public Law
3 115–141.”: *Provided*, That any use of such funds shall
4 be treated as a reprogramming of funds under section 716
5 of this Act.

6 SEC. 763. There is hereby appropriated \$400,000 to
7 carry out section 1672(g)(4)(B) of the Food, Agriculture,
8 Conservation, and Trade Act of 1990 (7 U.S.C.
9 5925(g)(4(B)) as amended by section 7209 of Public Law
10 115–334.

11 SEC. 764. For an additional amount for “National
12 Institute of Food and Agriculture—Research and Edu-
13 cation Activities”, \$2,000,000, to develop a public-private
14 cooperative framework based on open data standards for
15 neutral data repository solutions to preserve and share the
16 big data generated by technological advancements in the
17 agriculture industry and for the preservation and curation
18 of data in collaboration with land-grant universities.

19 SEC. 765. Notwithstanding any other provision of
20 law, no funds available to the Department of Agriculture
21 may be used to move any staff office or any agency from
22 the mission area in which it was located on August 1,
23 2018, to any other mission area or office within the De-
24 partment in the absence of the enactment of specific legis-
25 lation affirming such move.

1 SEC. 766. Section 7605(b) of the Agriculture Im-
2 provement Act of 2018 (7 U.S.C. 5940 note; Public Law
3 115–334) is amended by striking “January 1, 2022” and
4 inserting “January 1, 2023”.

5 SEC. 767. The Secretary, acting through the Chief
6 of the Natural Resources Conservation Service, may use
7 funds appropriated under this Act or any other Act for
8 the Watershed and Flood Prevention Operations Program
9 and the Watershed Rehabilitation Program carried out
10 pursuant to the Watershed Protection and Flood Preven-
11 tion Act (16 U.S.C. 1001 et seq.), and for the Emergency
12 Watershed Protection Program carried out pursuant to
13 section 403 of the Agricultural Credit Act of 1978 (16
14 U.S.C. 2203) to provide technical services for such pro-
15 grams pursuant to section 1252(a)(1) of the Food Secu-
16 rity Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding
17 subsection (c) of such section.

18 SEC. 768. None of the funds made available by this
19 or any other act may be used to restrict the offering of
20 low-fat (1% fat) flavored milk in the National School
21 Lunch Program or School Breakfast Program, as long as
22 such milk is not inconsistent with the most recent Dietary
23 Guidelines for Americans published under section 301 of
24 the National Nutrition Monitoring and Related Research
25 Act of 1990.

1 SEC. 769. In administering the pilot program estab-
2 lished by section 779 of division A of the Consolidated Ap-
3 propriations Act, 2018 (Public Law 115–141), the Sec-
4 retary of Agriculture may, for purposes of determining en-
5 tities eligible to receive assistance, consider those commu-
6 nities which are “Areas Rural in Character”: *Provided*,
7 That not more than 10 percent of the funds made avail-
8 able under the heading “Distance Learning, Telemedicine,
9 and Broadband Program” for the purposes of the pilot
10 program established by section 779 of Public Law 115–
11 141 may be used for this purpose.

12 SEC. 770. There is hereby appropriated \$24,525,000
13 for the Goodfellow Federal facility, to remain available
14 until expended, of which \$12,000,000 shall be transferred
15 to and merged with the appropriation for “Office of the
16 Chief Information Officer”, and of which \$12,525,000
17 shall be transferred to and merged with the appropriation
18 for “Food Safety and Inspection Service”.

19 SEC. 771. None of the funds made available by this
20 Act may be used to pay the salaries or expenses of per-
21 sonnel—

22 (1) to inspect horses under section 3 of the
23 Federal Meat Inspection Act (21 U.S.C. 603);

1 (2) to inspect horses under section 903 of the
2 Federal Agriculture Improvement and Reform Act of
3 1996 (7 U.S.C. 1901 note; Public Law 104–127); or
4 (3) to implement or enforce section 352.19 of
5 title 9, Code of Federal Regulations (or a successor
6 regulation).

7 SEC. 772. For an additional amount for “National
8 Institute of Food and Agriculture—Research and Edu-
9 cation Activities”, \$300,000, for the Under Secretary for
10 Research, Education, and Economics to convene a blue-
11 ribbon panel for the purpose of evaluating the overall
12 structure of research and education through the public
13 and land-grant universities, including 1890 Institutions,
14 to define a new architecture that can better integrate, co-
15 ordinate, and assess economic impact of the collective
16 work of these institutions.

17 SEC. 773. For an additional amount for “National
18 Institute of Food and Agriculture—Research and Edu-
19 cation Activities”, \$6,000,000, to remain available until
20 September 30, 2023, for a competitive grant to an institu-
21 tion in the land-grant university system to establish a
22 Farm of the Future testbed and demonstration site.

23 SEC. 774. Section 788 of the Further Consolidated
24 Appropriations Act, 2020 (Public Law 116–94) is amend-

1 ed by amending subsections (b)(1), (b)(2) and (b)(3) to
2 read as follows:

3 “(1) all final Animal Welfare Act inspection re-
4 ports, including all reports documenting all Animal
5 Welfare Act violations and non-compliances observed
6 by USDA officials and all animal inventories for the
7 current year and preceding three years;

8 “(2) all final Animal Welfare Act and Horse
9 Protection Act enforcement records for the current
10 year and the preceding three years;

11 “(3) all reports or other materials documenting
12 any violations and non-compliances observed by
13 USDA officials for the current year and preceding
14 three years; and”.

15 SEC. 775. None of the funds made available by this
16 Act may be used to propose, promulgate, or implement
17 any rule, or take any other action with respect to, allowing
18 or requiring information intended for a prescribing health
19 care professional, in the case of a drug or biological prod-
20 uct subject to section 503(b)(1) of the Federal Food,
21 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
22 tributed to such professional electronically (in lieu of in
23 paper form) unless and until a Federal law is enacted to
24 allow or require such distribution.

1 SEC. 776. (a) The Secretary of Agriculture, acting
2 through the Administrator of the Food Safety and Inspec-
3 tion Service, shall—

4 (1) revoke any line speed waivers issued to a
5 processor subject to the Federal Meat Inspection Act
6 (21 U.S.C. 601 et seq.) or the Poultry Products In-
7 spection Act (21 U.S.C. 451 et seq.) during the pe-
8 riod beginning on or after the first day of the
9 COVID–19 emergency period and ending on the
10 date of the enactment of this Act; and

11 (2) subject to subsection (b), not issue any such
12 waivers on or after such date of enactment, for the
13 duration of the COVID–19 emergency period.

14 (b) Notwithstanding subsection (a), the Secretary
15 may issue a line speed waiver to a processor referred to
16 in such subsection, if such processor—

17 (1) agrees to an inspection for such purpose
18 conducted by the Assistant Secretary of Labor for
19 Occupational Safety and Health; and

20 (2) the Assistant Secretary certifies to the Sec-
21 retary of Agriculture that any increases in line speed
22 at such processor’s facilities would not have an ad-
23 verse impact on worker safety.

24 (c) For purposes of this section, the term “COVID–
25 19 emergency period” has the meaning given the term

1 “emergency period” in section 1135(g)(1)(B) of the Social
2 Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

3 SEC. 777. The Secretary of Agriculture shall take
4 such actions as may be necessary to prohibit the purchase
5 of agricultural land located in the United States by compa-
6 nies owned, in full or in part, by the People’s Republic
7 of China. Beginning on the date of the enactment of this
8 Act, agricultural land owned by the People’s Republic of
9 China or companies owned, in full or in part, by the Peo-
10 ple’s Republic of China shall not be eligible for participa-
11 tion in programs administered by the Secretary of Agri-
12 culture.

13 This division may be cited as the “Agriculture, Rural
14 Development, Food and Drug Administration, and Re-
15 lated Agencies Appropriations Act, 2022”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2022**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$155,000,000, to remain
2 available until expended.

3 CONSTRUCTION

4 For expenses necessary for the construction of river
5 and harbor, flood and storm damage reduction, shore pro-
6 tection, aquatic ecosystem restoration, and related
7 projects authorized by law; for conducting detailed studies,
8 and plans and specifications, of such projects (including
9 those involving participation by States, local governments,
10 or private groups) authorized or made eligible for selection
11 by law (but such detailed studies, and plans and specifica-
12 tions, shall not constitute a commitment of the Govern-
13 ment to construction); \$2,591,732,000, to remain avail-
14 able until expended; of which \$100,820,000 shall be de-
15 rived from the Harbor Maintenance Trust Fund to cover
16 the Federal share of construction costs for facilities under
17 the Dredged Material Disposal Facilities program; and of
18 which such sums as are necessary to cover 35 percent of
19 the costs of construction, replacement, rehabilitation, and
20 expansion of inland waterways projects shall be derived
21 from the Inland Waterways Trust Fund, except as other-
22 wise specifically provided for in law.

23 MISSISSIPPI RIVER AND TRIBUTARIES

24 For expenses necessary for flood damage reduction
25 projects and related efforts in the Mississippi River allu-

1 vial valley below Cape Girardeau, Missouri, as authorized
2 by law, \$370,000,000, to remain available until expended,
3 of which \$10,312,000 shall be derived from the Harbor
4 Maintenance Trust Fund to cover the Federal share of
5 eligible operation and maintenance costs for inland har-
6 bors.

7 OPERATION AND MAINTENANCE

8 For expenses necessary for the operation, mainte-
9 nance, and care of existing river and harbor, flood and
10 storm damage reduction, aquatic ecosystem restoration,
11 and related projects authorized by law; providing security
12 for infrastructure owned or operated by the Corps, includ-
13 ing administrative buildings and laboratories; maintaining
14 harbor channels provided by a State, municipality, or
15 other public agency that serve essential navigation needs
16 of general commerce, where authorized by law; surveying
17 and charting northern and northwestern lakes and con-
18 necting waters; clearing and straightening channels; and
19 removing obstructions to navigation, \$4,817,000,000, to
20 remain available until expended, of which \$1,938,160,339
21 shall be derived from the Harbor Maintenance Trust Fund
22 to cover the Federal share of eligible operation and main-
23 tenance costs for coastal harbors and channels, and for
24 inland harbors; of which \$50,000,000, to be derived from
25 the general fund of the Treasury, shall be to carry out

1 subsection (c) of section 2106 of Public Law 113–121; of
2 which such sums as become available from the special ac-
3 count for the Corps of Engineers established by the Land
4 and Water Conservation Fund Act of 1965 shall be de-
5 rived from that account for resource protection, research,
6 interpretation, and maintenance activities related to re-
7 source protection in the areas at which outdoor recreation
8 is available; and of which such sums as become available
9 from fees collected under section 217 of Public Law 104–
10 303 shall be used to cover the cost of operation and main-
11 tenance of the dredged material disposal facilities for
12 which such fees have been collected: *Provided*, That 1 per-
13 cent of the total amount of funds provided for each of the
14 programs, projects, or activities funded under this heading
15 shall not be allocated to a field operating activity prior
16 to the beginning of the fourth quarter of the fiscal year
17 and shall be available for use by the Chief of Engineers
18 to fund such emergency activities as the Chief of Engi-
19 neers determines to be necessary and appropriate, and
20 that the Chief of Engineers shall allocate during the
21 fourth quarter any remaining funds which have not been
22 used for emergency activities proportionally in accordance
23 with the amounts provided for the programs, projects, or
24 activities.

1 REGULATORY PROGRAM

2 For expenses necessary for administration of laws
3 pertaining to regulation of navigable waters and wetlands,
4 \$212,000,000, to remain available until September 30,
5 2023.

6 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

7 For expenses necessary to clean up contamination
8 from sites in the United States resulting from work per-
9 formed as part of the Nation's early atomic energy pro-
10 gram, \$250,000,000, to remain available until expended.

11 FLOOD CONTROL AND COASTAL EMERGENCIES

12 For expenses necessary to prepare for flood, hurri-
13 cane, and other natural disasters and support emergency
14 operations, repairs, and other activities in response to
15 such disasters as authorized by law, \$35,000,000, to re-
16 main available until expended.

17 EXPENSES

18 For expenses necessary for the supervision and gen-
19 eral administration of the civil works program in the head-
20 quarters of the Corps of Engineers and the offices of the
21 Division Engineers; and for costs of management and op-
22 eration of the Humphreys Engineer Center Support Activ-
23 ity, the Institute for Water Resources, the United States
24 Army Engineer Research and Development Center, and
25 the United States Army Corps of Engineers Finance Cen-

1 ter allocable to the civil works program, \$208,000,000, to
2 remain available until September 30, 2023, of which not
3 to exceed \$5,000 may be used for official reception and
4 representation purposes and only during the current fiscal
5 year: *Provided*, That no part of any other appropriation
6 provided in this title shall be available to fund the civil
7 works activities of the Office of the Chief of Engineers
8 or the civil works executive direction and management ac-
9 tivities of the division offices: *Provided further*, That any
10 Flood Control and Coastal Emergencies appropriation
11 may be used to fund the supervision and general adminis-
12 tration of emergency operations, repairs, and other activi-
13 ties in response to any flood, hurricane, or other natural
14 disaster.

15 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

16 FOR CIVIL WORKS

17 For the Office of the Assistant Secretary of the Army
18 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
19 \$5,000,000, to remain available until September 30, 2023:
20 *Provided*, That not more than 75 percent of such amount
21 may be obligated or expended until the Assistant Sec-
22 retary submits to the Committees on Appropriations of
23 both Houses of Congress a work plan that allocates at
24 least 95 percent of the additional funding provided under
25 each heading in this title, as designated under such head-

1 ing in the report accompanying this Act, to specific pro-
2 grams, projects, or activities.

3 WATER INFRASTRUCTURE FINANCE AND INNOVATION
4 PROGRAM

5 For the cost of direct loans and for the cost of guar-
6 anteed loans, as authorized by the Water Infrastructure
7 Finance and Innovation Act of 2014, \$5,700,000, to re-
8 main available until expended, for safety projects to main-
9 tain, upgrade, and repair dams identified in the National
10 Inventory of Dams with a primary owner type of state,
11 local government, public utility, or private: *Provided*, That
12 no project may be funded with amounts provided under
13 this heading for a dam that is identified as jointly owned
14 in the National Inventory of Dams and where one of those
15 joint owners is the Federal Government: *Provided further*,
16 That such costs, including the cost of modifying such
17 loans, shall be as defined in section 502 of the Congres-
18 sional Budget Act of 1974: *Provided further*, That these
19 funds are available to subsidize gross obligations for the
20 principal amount of direct loans, including capitalized in-
21 terest, and total loan principal, including capitalized inter-
22 est, any part of which is to be guaranteed, not to exceed
23 \$570,000,000: *Provided further*, That within 15 days of
24 enactment of this Act, the Secretary, in consultation with
25 the Office of Management and Budget, shall transmit a

1 report to the Committees on Appropriations of the House
2 of Representatives and the Senate that provides: (1) an
3 analysis of how subsidy rates will be determined for loans
4 financed by appropriations provided under this heading in
5 this Act; (2) a comparison of the factors that will be con-
6 sidered in estimating subsidy rates for loans financed
7 under this heading in this Act with factors that will be
8 considered in estimates of subsidy rates for other projects
9 authorized by the Water Infrastructure Finance and Inno-
10 vation Act of 2014, including an analysis of how both sets
11 of rates will be determined; and (3) an analysis of the
12 process for developing draft regulations for the Water In-
13 frastructure Finance and Innovation program, including
14 a crosswalk from the statutory requirements for such pro-
15 gram, and a timetable for publishing such regulations:
16 *Provided further*, That the use of direct loans or loan guar-
17 antee authority under this heading for direct loans or com-
18 mitments to guarantee loans for any project shall be in
19 accordance with the criteria published in the Federal Reg-
20 ister on June 30, 2020 (85 FR 39189) pursuant to the
21 fourth proviso under the heading “Water Infrastructure
22 Finance and Innovation Program Account” in division D
23 of the Further Consolidated Appropriations Act, 2020
24 (Public Law 116–94): *Provided further*, That none of the
25 direct loans or loan guarantee authority made available

1 under this heading shall be available for any project unless
2 the Secretary and the Director of the Office of Manage-
3 ment and Budget have certified in advance in writing that
4 the direct loan or loan guarantee, as applicable, and the
5 project comply with the criteria referenced in the previous
6 proviso: *Provided further*, That any references to the Envi-
7 ronmental Protection Agency (EPA) or the Administrator
8 in the criteria referenced in the previous two provisos shall
9 be deemed to be references to the Army Corps of Engi-
10 neers or the Secretary of the Army, respectively, for pur-
11 poses of the direct loans or loan guarantee authority made
12 available under this heading: *Provided further*, That for
13 the purposes of carrying out the Congressional Budget Act
14 of 1974, the Director of the Congressional Budget Office
15 may request, and the Secretary shall promptly provide,
16 documentation and information relating to a project iden-
17 tified in a Letter of Interest submitted to the Secretary
18 pursuant to a Notice of Funding Availability for applica-
19 tions for credit assistance under the Water Infrastructure
20 Finance and Innovation Act Program, including with re-
21 spect to a project that was initiated or completed before
22 the date of enactment of this Act.

23 In addition, fees authorized to be collected pursuant
24 to sections 5029 and 5030 of the Water Infrastructure

1 Finance and Innovation Act of 2014 shall be deposited
2 in this account, to remain available until expended.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, \$8,500,000, to
5 remain available until September 30, 2023.

6 GENERAL PROVISIONS—CORPS OF
7 ENGINEERS—CIVIL

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 101. (a) None of the funds provided in title I
10 of this Act, or provided by previous appropriations Acts
11 to the agencies or entities funded in title I of this Act
12 that remain available for obligation or expenditure in fiscal
13 year 2022, shall be available for obligation or expenditure
14 through a reprogramming of funds that:

15 (1) creates or initiates a new program, project,
16 or activity;

17 (2) eliminates a program, project, or activity;

18 (3) increases funds or personnel for any pro-
19 gram, project, or activity for which funds have been
20 denied or restricted by this Act, unless prior ap-
21 proval is received from the Committees on Appro-
22 priations of both Houses of Congress;

23 (4) proposes to use funds directed for a specific
24 activity for a different purpose, unless prior approval

1 is received from the Committees on Appropriations
2 of both Houses of Congress;

3 (5) augments or reduces existing programs,
4 projects, or activities in excess of the amounts con-
5 tained in paragraphs (6) through (10), unless prior
6 approval is received from the Committees on Appro-
7 priations of both Houses of Congress;

8 (6) INVESTIGATIONS.—For a base level over
9 \$100,000, reprogramming of 25 percent of the base
10 amount up to a limit of \$150,000 per project, study
11 or activity is allowed: Provided, That for a base level
12 less than \$100,000, the reprogramming limit is
13 \$25,000: Provided further, That up to \$25,000 may
14 be reprogrammed into any continuing study or activ-
15 ity that did not receive an appropriation for existing
16 obligations and concomitant administrative expenses;

17 (7) CONSTRUCTION.—For a base level over
18 \$2,000,000, reprogramming of 15 percent of the
19 base amount up to a limit of \$3,000,000 per project,
20 study or activity is allowed: Provided, That for a
21 base level less than \$2,000,000, the reprogramming
22 limit is \$300,000: Provided further, That up to
23 \$3,000,000 may be reprogrammed for settled con-
24 tractor claims, changed conditions, or real estate de-
25 ficiency judgments: Provided further, That up to

1 \$300,000 may be reprogrammed into any continuing
2 study or activity that did not receive an appropria-
3 tion for existing obligations and concomitant admin-
4 istrative expenses;

5 (8) OPERATION AND MAINTENANCE.—

6 Unlimited reprogramming authority is granted for
7 the Corps to be able to respond to emergencies: Pro-
8 vided, That the Chief of Engineers shall notify the
9 Committees on Appropriations of both Houses of
10 Congress of these emergency actions as soon there-
11 after as practicable: Provided further, That for a
12 base level over \$1,000,000, reprogramming of 15
13 percent of the base amount up to a limit of
14 \$5,000,000 per project, study, or activity is allowed:
15 Provided further, That for a base level less than
16 \$1,000,000, the reprogramming limit is \$150,000:
17 Provided further, That \$150,000 may be repro-
18 grammed into any continuing study or activity that
19 did not receive an appropriation;

20 (9) MISSISSIPPI RIVER AND TRIBU-

21 TARIES.—The reprogramming guidelines in para-
22 graphs (6), (7), and (8) shall apply to the Investiga-
23 tions, Construction, and Operation and Maintenance
24 portions of the Mississippi River and Tributaries Ac-
25 count, respectively; and

1 (10) FORMERLY UTILIZED SITES REME-
2 DIAL ACTION PROGRAM.— Reprogramming of
3 up to 15 percent of the base of the receiving project
4 is permitted.

5 (b) DE MINIMUS REPROGRAMMINGS.—In no
6 case should a reprogramming for less than \$50,000 be
7 submitted to the Committees on Appropriations of both
8 Houses of Congress.

9 (c) CONTINUING AUTHORITIES PROGRAM.—
10 Subsection (a)(1) shall not apply to any project or activity
11 funded under the continuing authorities program.

12 (d) Not later than 60 days after the date of enact-
13 ment of this Act, the Secretary shall submit a report to
14 the Committees on Appropriations of both Houses of Con-
15 gress to establish the baseline for application of re-
16 programming and transfer authorities for the current fis-
17 cal year which shall include:

18 (1) A table for each appropriation with a sepa-
19 rate column to display the President's budget re-
20 quest, adjustments made by Congress, adjustments
21 due to enacted rescissions, if applicable, and the fis-
22 cal year enacted level; and

23 (2) A delineation in the table for each appro-
24 priation both by object class and program, project

1 and activity as detailed in the budget appendix for
2 the respective appropriations; and

3 (3) An identification of items of special congres-
4 sional interest.

5 SEC. 102. The Secretary shall allocate funds made
6 available in this title solely in accordance with the provi-
7 sions of this Act and the report accompanying this Act.

8 SEC. 103. None of the funds made available in this
9 title may be used to award or modify any contract that
10 commits funds beyond the amounts appropriated for that
11 program, project, or activity that remain unobligated, ex-
12 cept that such amounts may include any funds that have
13 been made available through reprogramming pursuant to
14 section 101.

15 SEC. 104. The Secretary of the Army may transfer
16 to the Fish and Wildlife Service, and the Fish and Wildlife
17 Service may accept and expend, up to \$5,400,000 of funds
18 provided in this title under the heading “Operation and
19 Maintenance” to mitigate for fisheries lost due to Corps
20 of Engineers projects.

21 SEC. 105. None of the funds in this Act shall be used
22 for an open lake placement alternative for dredged mate-
23 rial, after evaluating the least costly, environmentally ac-
24 ceptable manner for the disposal or management of
25 dredged material originating from Lake Erie or tributaries

1 thereto, unless it is certified under a State water quality
2 certification pursuant to section 401 of the Federal Water
3 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
4 until an open lake placement alternative for dredged mate-
5 rial is certified under a State water quality certification,
6 the Corps of Engineers shall continue upland placement
7 of such dredged material consistent with the requirements
8 of section 101 of the Water Resources Development Act
9 of 1986 (33 U.S.C. 2211).

10 SEC. 106. None of the funds made available by this
11 Act may be used to carry out any water supply reallocation
12 study under the Wolf Creek Dam, Lake Cumberland, Ken-
13 tucky, project authorized under the Act of July 24, 1946
14 (60 Stat. 636, ch. 595).

15 SEC. 107. None of the funds made available by this
16 Act or any other Act may be used to reorganize or to
17 transfer the Civil Works functions or authority of the
18 Corps of Engineers or the Secretary of the Army to an-
19 other department or agency.

20 SEC. 108. Additional funding provided in this Act
21 shall be allocated only to projects determined to be eligible
22 by the Chief of Engineers.

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$20,000,000, to remain
7 available until expended, of which \$5,000,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,550,000 shall
12 be available until September 30, 2023, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2022, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,850,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,792,000,000, to
11 remain available until expended, of which \$71,217,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$19,606,000 shall be available for trans-
14 fer to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 \$40,000,000 shall be available for transfer into the Black-
18 feet Water Settlement Implementation Fund established
19 by section 3717 of Public Law 114–322: *Provided further*,
20 That \$1,000,000 shall be available for transfer into the
21 Aging Infrastructure Account established by section
22 9603(d)(1) of the Omnibus Public Land Management Act
23 of 2009, as amended (43 U.S.C. 510b(d)(1)): *Provided*
24 *further*, That such transfers, except for the transfer au-
25 thorized by the preceding proviso, may be increased or de-

1 creased within the overall appropriation under this head-
2 ing: *Provided further*, That of the total appropriated, the
3 amount for program activities that can be financed by the
4 Reclamation Fund, the Water Storage Enhancement Re-
5 ceipts account established by section 4011(e) of Public
6 Law 114–322, or the Bureau of Reclamation special fee
7 account established by 16 U.S.C. 6806 shall be derived
8 from that Fund or account: *Provided further*, That funds
9 contributed under 43 U.S.C. 395 are available until ex-
10 pended for the purposes for which the funds were contrib-
11 uted: *Provided further*, That funds advanced under 43
12 U.S.C. 397a shall be credited to this account and are
13 available until expended for the same purposes as the
14 sums appropriated under this heading: *Provided further*,
15 That of the amounts made available under this heading,
16 \$10,000,000 shall be deposited in the San Gabriel Basin
17 Restoration Fund established by section 110 of title I of
18 appendix D of Public Law 106–554: *Provided further*,
19 That of the amounts provided herein, funds may be used
20 for high-priority projects which shall be carried out by the
21 Youth Conservation Corps, as authorized by 16 U.S.C.
22 1706.

23 CENTRAL VALLEY PROJECT RESTORATION FUND

24 For carrying out the programs, projects, plans, habi-
25 tat restoration, improvement, and acquisition provisions of

1 the Central Valley Project Improvement Act, \$56,499,000,
2 to be derived from such sums as may be collected in the
3 Central Valley Project Restoration Fund pursuant to sec-
4 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
5 102–575, to remain available until expended: *Provided*,
6 That the Bureau of Reclamation is directed to assess and
7 collect the full amount of the additional mitigation and
8 restoration payments authorized by section 3407(d) of
9 Public Law 102–575: *Provided further*, That none of the
10 funds made available under this heading may be used for
11 the acquisition or leasing of water for in-stream purposes
12 if the water is already committed to in-stream purposes
13 by a court adopted decree or order.

14 CALIFORNIA BAY-DELTA RESTORATION
15 (INCLUDING TRANSFERS OF FUNDS)

16 For carrying out activities authorized by the Water
17 Supply, Reliability, and Environmental Improvement Act,
18 consistent with plans to be approved by the Secretary of
19 the Interior, \$33,000,000, to remain available until ex-
20 pended, of which such amounts as may be necessary to
21 carry out such activities may be transferred to appropriate
22 accounts of other participating Federal agencies to carry
23 out authorized purposes: *Provided*, That funds appro-
24 priated herein may be used for the Federal share of the
25 costs of CALFED Program management: *Provided fur-*

1 *ther*, That CALFED implementation shall be carried out
2 in a balanced manner with clear performance measures
3 demonstrating concurrent progress in achieving the goals
4 and objectives of the Program.

5 POLICY AND ADMINISTRATION

6 For expenses necessary for policy, administration,
7 and related functions in the Office of the Commissioner,
8 the Denver office, and offices in the six regions of the Bu-
9 reau of Reclamation, to remain available until September
10 30, 2023, \$64,400,000, to be derived from the Reclama-
11 tion Fund and be nonreimbursable as provided in 43
12 U.S.C. 377: *Provided*, That no part of any other appro-
13 priation in this Act shall be available for activities or func-
14 tions budgeted as policy and administration expenses.

15 ADMINISTRATIVE PROVISION

16 Appropriations for the Bureau of Reclamation shall
17 be available for purchase and replacement of not to exceed
18 30 motor vehicles, which are for replacement only.

19 GENERAL PROVISIONS—DEPARTMENT OF THE
20 INTERIOR

21 SEC. 201. (a) None of the funds provided in title II
22 of this Act for Water and Related Resources, or provided
23 by previous or subsequent appropriations Acts to the agen-
24 cies or entities funded in title II of this Act for Water
25 and Related Resources that remain available for obligation

1 or expenditure in fiscal year 2022, shall be available for
2 obligation or expenditure through a reprogramming of
3 funds that—

4 (1) initiates or creates a new program, project,
5 or activity;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds for any program, project, or
8 activity for which funds have been denied or re-
9 stricted by this Act, unless prior approval is received
10 from the Committees on Appropriations of both
11 Houses of Congress;

12 (4) restarts or resumes any program, project or
13 activity for which funds are not provided in this Act,
14 unless prior approval is received from the Commit-
15 tees on Appropriations of both Houses of Congress;

16 (5) transfers funds in excess of the following
17 limits, unless prior approval is received from the
18 Committees on Appropriations of both Houses of
19 Congress:

20 (A) 15 percent for any program, project or
21 activity for which \$2,000,000 or more is avail-
22 able at the beginning of the fiscal year; or

23 (B) \$400,000 for any program, project or
24 activity for which less than \$2,000,000 is avail-
25 able at the beginning of the fiscal year;

1 (6) transfers more than \$500,000 from either
2 the Facilities Operation, Maintenance, and Rehabili-
3 tation category or the Resources Management and
4 Development category to any program, project, or
5 activity in the other category, unless prior approval
6 is received from the Committees on Appropriations
7 of both Houses of Congress; or

8 (7) transfers, where necessary to discharge legal
9 obligations of the Bureau of Reclamation, more than
10 \$5,000,000 to provide adequate funds for settled
11 contractor claims, increased contractor earnings due
12 to accelerated rates of operations, and real estate de-
13 ficiency judgments, unless prior approval is received
14 from the Committees on Appropriations of both
15 Houses of Congress.

16 (b) Subsection (a)(5) shall not apply to any transfer
17 of funds within the Facilities Operation, Maintenance, and
18 Rehabilitation category.

19 (c) For purposes of this section, the term “transfer”
20 means any movement of funds into or out of a program,
21 project, or activity.

22 (d) Except as provided in subsections (a) and (b), the
23 amounts made available in this title under the heading
24 “Bureau of Reclamation—Water and Related Resources”
25 shall be expended for the programs, projects, and activities

1 specified in the “House Recommended” columns in the
2 “Water and Related Resources” table included under the
3 heading “Title II—Department of the Interior” in the re-
4 port accompanying this Act.

5 (e) The Bureau of Reclamation shall submit reports
6 on a quarterly basis to the Committees on Appropriations
7 of both Houses of Congress detailing all the funds repro-
8 grammed between programs, projects, activities, or cat-
9 egories of funding. The first quarterly report shall be sub-
10 mitted not later than 60 days after the date of enactment
11 of this Act.

12 SEC. 202. (a) None of the funds appropriated or oth-
13 erwise made available by this Act may be used to deter-
14 mine the final point of discharge for the interceptor drain
15 for the San Luis Unit until development by the Secretary
16 of the Interior and the State of California of a plan, which
17 shall conform to the water quality standards of the State
18 of California as approved by the Administrator of the En-
19 vironmental Protection Agency, to minimize any detri-
20 mental effect of the San Luis drainage waters.

21 (b) The costs of the Kesterson Reservoir Cleanup
22 Program and the costs of the San Joaquin Valley Drain-
23 age Program shall be classified by the Secretary of the
24 Interior as reimbursable or nonreimbursable and collected
25 until fully repaid pursuant to the “Cleanup Program—

1 Alternative Repayment Plan” and the “SJVDP—Alter-
2 native Repayment Plan” described in the report entitled
3 “Repayment Report, Kesterson Reservoir Cleanup Pro-
4 gram and San Joaquin Valley Drainage Program, Feb-
5 ruary 1995”, prepared by the Department of the Interior,
6 Bureau of Reclamation. Any future obligations of funds
7 by the United States relating to, or providing for, drainage
8 service or drainage studies for the San Luis Unit shall
9 be fully reimbursable by San Luis Unit beneficiaries of
10 such service or studies pursuant to Federal reclamation
11 law.

12 SEC. 203. Section 9504(e) of the Omnibus Public
13 Land Management Act of 2009 (Public Law 111–11; 42
14 U.S.C. 10364(e)) is amended by striking “\$610,000,000”
15 and inserting “\$730,000,000”.

16 SEC. 204. Title I of Public Law 108–361 (the
17 CALFED Bay-Delta Authorization Act) (118 Stat. 1681)
18 is amended by striking “2021” each place it appears and
19 inserting “2022”.

20 SEC. 205. Section 9106(g)(2) of Public Law 111–11
21 (Omnibus Public Land Management Act of 2009) is
22 amended by striking “2021” and inserting “2022”.

23 SEC. 206. (a) Section 104(c) of the Reclamation
24 States Emergency Drought Relief Act of 1991 (Public

1 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking
2 “2021” and inserting “2022”.

3 (b) Section 301 of the Reclamation States Emergency
4 Drought Relief Act of 1991 (Public Law 102–250; 43
5 U.S.C. 2241) is amended by striking “2021” and insert-
6 ing “2022”.

7 SEC. 207. Section 1101(d) of the Reclamation
8 Projects Authorization and Adjustment Act of 1992 (Pub-
9 lic Law 102–575) is amended by striking “\$10,000,000”
10 and inserting “\$13,000,000”.

11 SEC. 208. None of the funds provided in this Act may
12 be used for the Shasta Dam and Reservoir Enlargement
13 Project.

14 TITLE III

15 DEPARTMENT OF ENERGY

16 ENERGY PROGRAMS

17 ENERGY EFFICIENCY AND RENEWABLE ENERGY

18 For Department of Energy expenses including the
19 purchase, construction, and acquisition of plant and cap-
20 ital equipment, and other expenses necessary for energy
21 efficiency and renewable energy activities in carrying out
22 the purposes of the Department of Energy Organization
23 Act (42 U.S.C. 7101 et seq.), including the acquisition or
24 condemnation of any real property or any facility or for
25 plant or facility acquisition, construction, or expansion,

1 \$3,768,000,000, to remain available until expended: *Pro-*
2 *vided*, That of such amount, \$230,000,000 shall be avail-
3 able until September 30, 2023, for program direction.

4 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
5 RESPONSE

6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for energy
9 sector cybersecurity, energy security, and emergency re-
10 sponse activities in carrying out the purposes of the De-
11 partment of Energy Organization Act (42 U.S.C. 7101 et
12 seq.), including the acquisition or condemnation of any
13 real property or any facility or for plant or facility acquisi-
14 tion, construction, or expansion, \$177,000,000, to remain
15 available until expended: *Provided*, That of such amount,
16 \$15,000,000 shall be available until September 30, 2023,
17 for program direction.

18 ELECTRICITY

19 For Department of Energy expenses including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment, and other expenses necessary for elec-
22 tricity activities in carrying out the purposes of the De-
23 partment of Energy Organization Act (42 U.S.C. 7101 et
24 seq.), including the acquisition or condemnation of any
25 real property or any facility or for plant or facility acquisi-

tion, construction, or expansion, \$267,000,000, to remain available until expended: *Provided*, That of such amount, \$20,000,000 shall be available until September 30, 2023, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,675,000,000, to remain available until expended: *Provided*, That of such amount, \$85,000,000 shall be available until September 30, 2023, for program direction.

FOSSIL ENERGY AND CARBON MANAGEMENT

For Department of Energy expenses necessary in carrying out fossil energy and carbon management research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations

1 and research concerning the extraction, processing, use,
2 and disposal of mineral substances without objectionable
3 social and environmental costs (30 U.S.C. 3, 1602, and
4 1603), \$820,000,000, to remain available until expended:
5 *Provided*, That of such amount \$65,800,000 shall be avail-
6 able until September 30, 2023, for program direction.

7 NAVAL PETROLEUM AND OIL SHALE RESERVES

8 For Department of Energy expenses necessary to
9 carry out naval petroleum and oil shale reserve activities,
10 \$13,650,000, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding any other provision of law,
12 unobligated funds remaining from prior years shall be
13 available for all naval petroleum and oil shale reserve ac-
14 tivities.

15 STRATEGIC PETROLEUM RESERVE

16 For Department of Energy expenses necessary for
17 Strategic Petroleum Reserve facility development and op-
18 erations and program management activities pursuant to
19 the Energy Policy and Conservation Act (42 U.S.C. 6201
20 et seq.), \$197,000,000, to remain available until expended.

21 SPR PETROLEUM ACCOUNT

22 For the acquisition, transportation, and injection of
23 petroleum products, and for other necessary expenses pur-
24 suant to the Energy Policy and Conservation Act of 1975,
25 as amended (42 U.S.C. 6201 et seq.), sections 403 and

1 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
2 6241, 6239 note), and section 5010 of the 21st Century
3 Cures Act (Public Law 114–255), \$7,350,000, to remain
4 available until expended.

5 NORTHEAST HOME HEATING OIL RESERVE

6 For Department of Energy expenses necessary for
7 Northeast Home Heating Oil Reserve storage, operation,
8 and management activities pursuant to the Energy Policy
9 and Conservation Act (42 U.S.C. 6201 et seq.),
10 \$6,500,000, to remain available until expended.

11 ENERGY INFORMATION ADMINISTRATION

12 For Department of Energy expenses necessary in car-
13 rying out the activities of the Energy Information Admin-
14 istration, \$129,087,000, to remain available until ex-
15 pended.

16 NON-DEFENSE ENVIRONMENTAL CLEANUP

17 For Department of Energy expenses, including the
18 purchase, construction, and acquisition of plant and cap-
19 ital equipment and other expenses necessary for non-de-
20 fense environmental cleanup activities in carrying out the
21 purposes of the Department of Energy Organization Act
22 (42 U.S.C. 7101 et seq.), including the acquisition or con-
23 demnation of any real property or any facility or for plant
24 or facility acquisition, construction, or expansion,
25 \$333,863,000, to remain available until expended: *Pro-*

1 *vided*, That in addition, fees collected pursuant to sub-
2 section (b)(1) of section 6939f of title 42, United States
3 Code, and deposited under this heading in fiscal year 2022
4 pursuant to section 309 of title III of division C of Public
5 Law 116–94 are appropriated, to remain available until
6 expended, for mercury storage costs.

7 URANIUM ENRICHMENT DECONTAMINATION AND
8 DECOMMISSIONING FUND

9 For Department of Energy expenses necessary in car-
10 rying out uranium enrichment facility decontamination
11 and decommissioning, remedial actions, and other activi-
12 ties of title II of the Atomic Energy Act of 1954, and
13 title X, subtitle A, of the Energy Policy Act of 1992,
14 \$831,340,000, to be derived from the Uranium Enrich-
15 ment Decontamination and Decommissioning Fund, to re-
16 main available until expended, of which \$28,000,000 shall
17 be available in accordance with title X, subtitle A, of the
18 Energy Policy Act of 1992.

19 SCIENCE

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for science
23 activities in carrying out the purposes of the Department
24 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
25 cluding the acquisition or condemnation of any real prop-

erty or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, including one ambulance, for replacement only, \$7,320,000,000, to remain available until expended: *Provided*, That of such amount, \$202,000,000 shall be available until September 30, 2023, for program direction.

NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including interim storage activities, \$27,500,000, to remain available until expended, of which \$7,500,000 shall be derived from the Nuclear Waste Fund.

TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for carrying out the activities of technology transitions, \$19,470,000, to remain available until expended: *Provided*, That of such amount, \$8,375,000 shall be available until September 30, 2023, for program direction.

CLEAN ENERGY DEMONSTRATIONS

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for clean en-

1 ergy demonstrations in carrying out the purposes of the
2 Department of Energy Organization Act (42 U.S.C. 7101
3 et seq.), including the acquisition or condemnation of any
4 real property or any facility or for plant or facility acquisi-
5 tion, construction, or expansion, \$200,000,000, to remain
6 available until expended: *Provided*, That of such amount,
7 \$8,000,000 shall be available until September 30, 2023,
8 for program direction.

9 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), \$600,000,000, to remain available until expended: *Provided*, That of such amount, \$48,000,000 shall be available until September 30, 2023, for program direction.

16 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
17 PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, \$32,000,000 is appropriated, to remain available until

1 September 30, 2023: *Provided further*, That up to
2 \$32,000,000 of fees collected in fiscal year 2022 pursuant
3 to section 1702(h) of the Energy Policy Act of 2005 shall
4 be credited as offsetting collections under this heading and
5 used for necessary administrative expenses in this appro-
6 priation and shall remain available until September 30,
7 2023: *Provided further*, That to the extent that fees col-
8 lected in fiscal year 2022 exceed \$32,000,000, those ex-
9 cess amounts shall be credited as offsetting collections
10 under this heading and available in future fiscal years only
11 to the extent provided in advance in appropriations Acts:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced (1) as such fees are re-
14 ceived during fiscal year 2022 (estimated at \$3,000,000)
15 and (2) to the extent that any remaining general fund ap-
16 propriations can be derived from fees collected in previous
17 fiscal years that are not otherwise appropriated, so as to
18 result in a final fiscal year 2022 appropriation from the
19 general fund estimated at \$0: *Provided further*, That the
20 Department of Energy shall not subordinate any loan obli-
21 gation to other financing in violation of section 1702 of
22 the Energy Policy Act of 2005 or subordinate any Guarant-
23 eed Obligation to any loan or other debt obligations in
24 violation of section 609.10 of title 10, Code of Federal
25 Regulations.

1 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
2 LOAN PROGRAM

3 For Department of Energy administrative expenses
4 necessary in carrying out the Advanced Technology Vehi-
5 cles Manufacturing Loan Program, \$5,000,000, to remain
6 available until September 30, 2023.

7 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

8 For Department of Energy administrative expenses
9 necessary in carrying out the Tribal Energy Loan Guar-
10 antee Program, \$2,000,000, to remain available until Sep-
11 tember 30, 2023.

12 INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$70,000,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, \$5,523,000 shall be available until September 30, 2023, for program direction.

20 DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$372,578,000, to remain available until September 30, 2023, including the

1 hire of passenger motor vehicles and official reception and
2 representation expenses not to exceed \$30,000, plus such
3 additional amounts as necessary to cover increases in the
4 estimated amount of cost of work for others notwith-
5 standing the provisions of the Anti-Deficiency Act (31
6 U.S.C. 1511 et seq.): *Provided*, That such increases in
7 cost of work are offset by revenue increases of the same
8 or greater amount: *Provided further*, That moneys received
9 by the Department for miscellaneous revenues estimated
10 to total \$100,578,000 in fiscal year 2022 may be retained
11 and used for operating expenses within this account, as
12 authorized by section 201 of Public Law 95–238, notwith-
13 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
14 *ther*, That the sum herein appropriated shall be reduced
15 as collections are received during the fiscal year so as to
16 result in a final fiscal year 2022 appropriation from the
17 general fund estimated at not more than \$272,000,000.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses necessary for the Office of the Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, \$78,000,000, to remain available
22 until September 30, 2023.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 and the purchase of not to exceed one ambulance, for re-
14 placement only, \$15,484,295,000, to remain available
15 until expended: *Provided*, That of such amount,
16 \$117,060,000 shall be available until September 30, 2023,
17 for program direction.

18 DEFENSE NUCLEAR NONPROLIFERATION

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$2,340,000,000, to remain available until expended.

3 NAVAL REACTORS

4 (INCLUDING TRANSFER OF FUNDS)

5 For Department of Energy expenses necessary for
6 naval reactors activities to carry out the Department of
7 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
8 ing the acquisition (by purchase, condemnation, construc-
9 tion, or otherwise) of real property, plant, and capital
10 equipment, facilities, and facility expansion,
11 \$1,866,705,000, to remain available until expended, of
12 which, \$92,747,000 shall be transferred to “Department
13 of Energy—Energy Programs—Nuclear Energy”, for the
14 Advanced Test Reactor: *Provided*, That of such amount,
15 \$55,579,000 shall be available until September 30, 2023,
16 for program direction.

17 FEDERAL SALARIES AND EXPENSES

18 For expenses necessary for Federal Salaries and Ex-
19 penses in the National Nuclear Security Administration,
20 \$464,000,000, to remain available until September 30,
21 2023, including official reception and representation ex-
22 penses not to exceed \$17,000.

1 ENVIRONMENTAL AND OTHER DEFENSE
2 ACTIVITIES

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for atomic
7 energy defense environmental cleanup activities in car-
8 rying out the purposes of the Department of Energy Orga-
9 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
10 sition or condemnation of any real property or any facility
11 or for plant or facility acquisition, construction, or expan-
12 sion, and the purchase of not to exceed one passenger
13 minivan for replacement only, \$6,592,000,000, to remain
14 available until expended: *Provided*, That of such amount,
15 \$300,207,000 shall be available until September 30, 2023,
16 for program direction.

17 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
18 AND DECOMMISSIONING

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for atomic energy defense
21 environmental cleanup activities for Department of En-
22 ergy contributions for uranium enrichment decontamina-
23 tion and decommissioning activities, \$831,340,000, to be
24 deposited into the Defense Environmental Cleanup ac-

1 count, which shall be transferred to the Uranium Enrich-
2 ment Decontamination and Decommissioning Fund.

3 OTHER DEFENSE ACTIVITIES

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses, necessary for atomic
7 energy defense, other defense activities, and classified ac-
8 tivities, in carrying out the purposes of the Department
9 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
10 cluding the acquisition or condemnation of any real prop-
11 erty or any facility or for plant or facility acquisition, con-
12 struction, or expansion, \$932,000,000, to remain available
13 until expended: *Provided*, That of such amount,
14 \$317,636,000 shall be available until September 30, 2023,
15 for program direction.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

18 Expenditures from the Bonneville Power Administra-
19 tion Fund, established pursuant to Public Law 93-454,
20 are approved for the Umatilla Hatchery Facility project
21 and, in addition, for official reception and representation
22 expenses in an amount not to exceed \$5,000: *Provided*,
23 That during fiscal year 2022, no new direct loan obliga-
24 tions may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$7,184,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$7,184,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2022 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$53,000,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$48,324,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$37,924,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2022 appropriation estimated at not
6 more than \$10,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$18,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 For carrying out the functions authorized by title III,
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42
22 U.S.C. 7152), and other related activities including con-
23 servation and renewable resources programs as author-
24 ized, \$285,237,000, including official reception and rep-
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$285,237,000
2 shall be derived from the Department of the Interior Rec-
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
4 3302, section 5 of the Flood Control Act of 1944 (16
5 U.S.C. 825s), and section 1 of the Interior Department
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to
7 \$194,465,000 collected by the Western Area Power Ad-
8 ministration from the sale of power and related services
9 shall be credited to this account as discretionary offsetting
10 collections, to remain available until expended, for the sole
11 purpose of funding the annual expenses of the Western
12 Area Power Administration: *Provided further*, That the
13 sum herein appropriated for annual expenses shall be re-
14 duced as collections are received during the fiscal year so
15 as to result in a final fiscal year 2022 appropriation esti-
16 mated at not more than \$90,772,000, of which
17 \$90,772,000 is derived from the Reclamation Fund: *Pro-*
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up
19 to \$170,000,000 collected by the Western Area Power Ad-
20 ministration pursuant to the Flood Control Act of 1944
21 and the Reclamation Project Act of 1939 to recover pur-
22 chase power and wheeling expenses shall be credited to
23 this account as offsetting collections, to remain available
24 until expended for the sole purpose of making purchase
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means
2 expenditures that are generally recovered in the same year
3 that they are incurred (excluding purchase power and
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE
6 FUND

7 For operation, maintenance, and emergency costs for
8 the hydroelectric facilities at the Falcon and Amistad
9 Dams, \$5,808,000, to remain available until expended,
10 and to be derived from the Falcon and Amistad Operating
11 and Maintenance Fund of the Western Area Power Ad-
12 ministration, as provided in section 2 of the Act of June
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
14 the provisions of that Act and of 31 U.S.C. 3302, up to
15 \$5,580,000 collected by the Western Area Power Adminis-
16 tration from the sale of power and related services from
17 the Falcon and Amistad Dams shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the hydroelectric facilities of these
21 Dams and associated Western Area Power Administration
22 activities: *Provided further*, That the sum herein appro-
23 priated for annual expenses shall be reduced as collections
24 are received during the fiscal year so as to result in a final
25 fiscal year 2022 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-
2 propriation, annual expenses means expenditures that are
3 generally recovered in the same year that they are in-
4 curred: *Provided further*, That for fiscal year 2022, the
5 Administrator of the Western Area Power Administration
6 may accept up to \$1,737,000 in funds contributed by
7 United States power customers of the Falcon and Amistad
8 Dams for deposit into the Falcon and Amistad Operating
9 and Maintenance Fund, and such funds shall be available
10 for the purpose for which contributed in like manner as
11 if said sums had been specifically appropriated for such
12 purpose: *Provided further*, That any such funds shall be
13 available without further appropriation and without fiscal
14 year limitation for use by the Commissioner of the United
15 States Section of the International Boundary and Water
16 Commission for the sole purpose of operating, maintain-
17 ing, repairing, rehabilitating, replacing, or upgrading the
18 hydroelectric facilities at these Dams in accordance with
19 agreements reached between the Administrator, Commis-
20 sioner, and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-
24 latory Commission to carry out the provisions of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

seq.), including services as authorized by 5 U.S.C. 3109,
official reception and representation expenses not to ex-
ceed \$3,000, and the hire of passenger motor vehicles,
\$466,426,000, to remain available until expended: *Pro-*
vided, That notwithstanding any other provision of law,
not to exceed \$466,426,000 of revenues from fees and an-
nual charges, and other services and collections in fiscal
year 2022 shall be retained and used for expenses nec-
essary in this account, and shall remain available until ex-
pended: *Provided further*, That the sum herein appro-
priated from the general fund shall be reduced as revenues
are received during fiscal year 2022 so as to result in a
final fiscal year 2022 appropriation from the general fund
estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF
ENERGY

17 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or ac-

1 tivity if the program, project, or activity has not been
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the
4 Committees on Appropriations of both Houses of Congress
5 at least 3 full business days in advance, none of the funds
6 made available in this title may be used to—

7 (A) make or modify a grant allocation or discre-
8 tionary grant award totaling \$1,000,000 or more;

9 (B) make or modify a discretionary contract
10 award or Other Transaction Agreement totaling
11 \$1,000,000 or more, including a contract covered by
12 the Federal Acquisition Regulation;

13 (C) issue a letter of intent to make or modify
14 an allocation, award, or Agreement in excess of the
15 limits in subparagraph (A) or (B); or

16 (D) announce publicly the intention to make or
17 modify an allocation, award, or Agreement in excess
18 of the limits in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit directly to
20 the Committees on Appropriations of both Houses of Con-
21 gress within 15 days of the conclusion of each quarter a
22 report detailing each grant allocation or discretionary
23 grant award totaling less than \$1,000,000 provided or
24 modified during the previous quarter.

1 (3) The notification required by paragraph (1) and
2 the report required by paragraph (2) shall include the re-
3 cipient of the award, the amount of the award, the fiscal
4 year for which the funds for the award were appropriated,
5 the account and program, project, or activity from which
6 the funds are being drawn, the title of the award, and
7 a brief description of the activity for which the award is
8 made.

9 (c) The Department of Energy may not, with respect
10 to any program, project, or activity that uses budget au-
11 thority made available in this title under the heading “De-
12 partment of Energy—Energy Programs”, enter into a
13 multiyear contract, award a multiyear grant, or enter into
14 a multiyear cooperative agreement unless—

15 (1) the contract, grant, or cooperative agree-
16 ment is funded for the full period of performance as
17 anticipated at the time of award; or

18 (2) the contract, grant, or cooperative agree-
19 ment includes a clause conditioning the Federal Gov-
20 ernment’s obligation on the availability of future
21 year budget authority and the Secretary notifies the
22 Committees on Appropriations of both Houses of
23 Congress at least 3 days in advance.

24 (d) Except as provided in subsections (e), (f), and (g),
25 the amounts made available by this title shall be expended

1 as authorized by law for the programs, projects, and ac-
2 tivities specified in the “Bill” column in the “Department
3 of Energy” table included under the heading “Title III—
4 Department of Energy” in the report accompanying this
5 Act.

6 (e) The amounts made available by this title may be
7 reprogrammed for any program, project, or activity, and
8 the Department shall notify the Committees on Appropria-
9 tions of both Houses of Congress at least 30 days prior
10 to the use of any proposed reprogramming that would
11 cause any program, project, or activity funding level to
12 increase or decrease by more than \$5,000,000 or 10 per-
13 cent, whichever is less, during the time period covered by
14 this Act.

15 (f) None of the funds provided in this title shall be
16 available for obligation or expenditure through a re-
17 programming of funds that—

18 (1) creates, initiates, or eliminates a program,
19 project, or activity;

20 (2) increases funds or personnel for any pro-
21 gram, project, or activity for which funds are denied
22 or restricted by this Act; or

23 (3) reduces funds that are directed to be used
24 for a specific program, project, or activity by this
25 Act.

1 (g)(1) The Secretary of Energy may waive any re-
2 quirement or restriction in this section that applies to the
3 use of funds made available for the Department of Energy
4 if compliance with such requirement or restriction would
5 pose a substantial risk to human health, the environment,
6 welfare, or national security.

7 (2) The Secretary of Energy shall notify the Commit-
8 tees on Appropriations of both Houses of Congress of any
9 waiver under paragraph (1) as soon as practicable, but
10 not later than 3 days after the date of the activity to which
11 a requirement or restriction would otherwise have applied.
12 Such notice shall include an explanation of the substantial
13 risk under paragraph (1) that permitted such waiver.

14 (h) The unexpended balances of prior appropriations
15 provided for activities in this Act may be available to the
16 same appropriation accounts for such activities established
17 pursuant to this title. Available balances may be merged
18 with funds in the applicable established accounts and
19 thereafter may be accounted for as one fund for the same
20 time period as originally enacted.

21 SEC. 302. Funds appropriated by this or any other
22 Act, or made available by the transfer of funds in this
23 Act, for intelligence activities are deemed to be specifically
24 authorized by the Congress for purposes of section 504
25 of the National Security Act of 1947 (50 U.S.C. 3094)

1 during fiscal year 2022 until the enactment of the Intel-
2 ligence Authorization Act for fiscal year 2022.

3 SEC. 303. None of the funds made available in this
4 title shall be used for the construction of facilities classi-
5 fied as high-hazard nuclear facilities under 10 CFR Part
6 830 unless independent oversight is conducted by the Of-
7 fice of Enterprise Assessments to ensure the project is in
8 compliance with nuclear safety requirements.

9 SEC. 304. None of the funds made available in this
10 title may be used to approve critical decision-2 or critical
11 decision-3 under Department of Energy Order 413.3B, or
12 any successive departmental guidance, for construction
13 projects where the total project cost exceeds
14 \$100,000,000, until a separate independent cost estimate
15 has been developed for the project for that critical deci-
16 sion.

17 SEC. 305. Notwithstanding section 161 of the Energy
18 Policy and Conservation Act (42 U.S.C. 6241), upon a
19 determination by the President in this fiscal year that a
20 regional supply shortage of refined petroleum product of
21 significant scope and duration exists, that a severe in-
22 crease in the price of refined petroleum product will likely
23 result from such shortage, and that a draw down and sale
24 of refined petroleum product would assist directly and sig-
25 nificantly in reducing the adverse impact of such shortage,

1 the Secretary of Energy may draw down and sell refined
2 petroleum product from the Strategic Petroleum Reserve.
3 Proceeds from a sale under this section shall be deposited
4 into the SPR Petroleum Account established in section
5 167 of the Energy Policy and Conservation Act (42 U.S.C.
6 6247), and such amounts shall be available for obligation,
7 without fiscal year limitation, consistent with that section.

8 SEC. 306. No funds shall be transferred directly from
9 “Department of Energy—Power Marketing Administra-
10 tion—Colorado River Basins Power Marketing Fund,
11 Western Area Power Administration” to the general fund
12 of the Treasury in the current fiscal year.

13 SEC. 307. (a) Of the unobligated balances available
14 to the Department of Energy from amounts appropriated
15 in prior Acts, the following funds are hereby rescinded
16 from the following accounts and programs in the specified
17 amounts—

18 (1) “Defense Nuclear Nonproliferation” for the con-
19 struction project “99–D–143”, \$330,000,000; and

20 (2) “Naval Reactors”, \$6,000,000.

21 (b) No amounts may be rescinded under subsection
22 (a) from amounts that were previously designated by the
23 Congress as an emergency requirement pursuant to a con-
24 current resolution on the budget or the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 SEC. 308. All unavailable collections currently in the
2 United States Enrichment Corporation Fund shall be
3 transferred to and merged with the Uranium Enrichment
4 Decontamination and Decommissioning Fund and shall be
5 available only to the to the extent provided in advance in
6 appropriations Acts.

7 TITLE IV

8 INDEPENDENT AGENCIES

9 APPALACHIAN REGIONAL COMMISSION

10 For expenses necessary to carry out the programs au-
11 thorized by the Appalachian Regional Development Act of
12 1965, as amended, notwithstanding 40 U.S.C. 14704, and
13 for expenses necessary for the Federal Co-Chairman and
14 the Alternate on the Appalachian Regional Commission,
15 for payment of the Federal share of the administrative ex-
16 penses of the Commission, including services as authorized
17 by 5 U.S.C. 3109, and hire of passenger motor vehicles,
18 \$210,000,000, to remain available until expended.

19 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Defense Nuclear Fa-
22 cilities Safety Board in carrying out activities authorized
23 by the Atomic Energy Act of 1954, as amended by Public
24 Law 100–456, section 1441, \$31,000,000, to remain
25 available until September 30, 2023.

1 DELTA REGIONAL AUTHORITY

2 SALARIES AND EXPENSES

3 For expenses necessary for the Delta Regional Au-
4 thority and to carry out its activities, as authorized by
5 the Delta Regional Authority Act of 2000, notwith-
6 standing sections 382F(d), 382M, and 382N of said Act,
7 \$30,000,000, to remain available until expended.

8 DENALI COMMISSION

9 For expenses necessary for the Denali Commission
10 including the purchase, construction, and acquisition of
11 plant and capital equipment as necessary and other ex-
12 penses, \$15,000,000, to remain available until expended,
13 notwithstanding the limitations contained in section
14 306(g) of the Denali Commission Act of 1998: *Provided*,
15 That funds shall be available for construction projects for
16 which the Denali Commission is the sole or primary fund-
17 ing source in an amount not to exceed 80 percent of total
18 project cost for distressed communities, as defined by sec-
19 tion 307 of the Denali Commission Act of 1998 (division
20 C, title III, Public Law 105–277), as amended by section
21 701 of appendix D, title VII, Public Law 106–113 (113
22 Stat. 1501A–280), and an amount not to exceed 50 per-
23 cent for non-distressed communities: *Provided further*,
24 That notwithstanding any other provision of law regarding
25 payment of a non-Federal share in connection with a

1 grant-in-aid program, amounts under this heading shall
2 be available for the payment of such a non-Federal share
3 for any project for which the Denali Commission is not
4 the sole or primary funding source, provided that such
5 project is consistent with the purposes of the Commission.

6 NORTHERN BORDER REGIONAL COMMISSION

7 For expenses necessary for the Northern Border Re-
8 gional Commission in carrying out activities authorized by
9 subtitle V of title 40, United States Code, \$32,000,000,
10 to remain available until expended: *Provided*, That such
11 amounts shall be available for administrative expenses,
12 notwithstanding section 15751(b) of title 40, United
13 States Code.

14 SOUTHEAST CRESCENT REGIONAL COMMISSION

15 For expenses necessary for the Southeast Crescent
16 Regional Commission in carrying out activities authorized
17 by subtitle V of title 40, United States Code, \$2,500,000,
18 to remain available until expended.

19 SOUTHWEST BORDER REGIONAL COMMISSION

20 For expenses necessary for the Southwest Border Re-
21 gional Commission in carrying out activities authorized by
22 subtitle V of title 40, United States Code, \$2,500,000, to
23 remain available until expended.

1 NUCLEAR REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$873,901,000, including official representation expenses not to exceed \$25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than \$9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2023: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$745,258,000 in fiscal year 2022 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2022 so as to result in a final fiscal year 2022 appropriation estimated at not more than \$128,643,000.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$13,799,000, to remain available

1 until September 30, 2023: *Provided*, That revenues from
2 licensing fees, inspection services, and other services and
3 collections estimated at \$11,442,000 in fiscal year 2022
4 shall be retained and be available until September 30,
5 2023, for necessary salaries and expenses in this account,
6 notwithstanding section 3302 of title 31, United States
7 Code: *Provided further*, That the sum herein appropriated
8 shall be reduced by the amount of revenues received dur-
9 ing fiscal year 2022 so as to result in a final fiscal year
10 2022 appropriation estimated at not more than
11 \$2,357,000: *Provided further*, That of the amounts appro-
12 priated under this heading, \$1,146,000 shall be for In-
13 spector General services for the Defense Nuclear Facilities
14 Safety Board.

15 NUCLEAR WASTE TECHNICAL REVIEW BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Nuclear Waste Tech-
18 nical Review Board, as authorized by Public Law 100–
19 203, section 5051, \$3,800,000, to be derived from the Nu-
20 clear Waste Fund, to remain available until September 30,
21 2023.

22 GENERAL PROVISIONS—INDEPENDENT

23 AGENCIES

24 SEC. 401. The Nuclear Regulatory Commission shall
25 comply with the July 5, 2011, version of Chapter VI of

1 its Internal Commission Procedures when responding to
2 Congressional requests for information, consistent with
3 Department of Justice guidance for all Federal agencies.

4 SEC. 402. (a) The amounts made available by this
5 title for the Nuclear Regulatory Commission may be re-
6 programmed for any program, project, or activity, and the
7 Commission shall notify the Committees on Appropria-
8 tions of both Houses of Congress at least 30 days prior
9 to the use of any proposed reprogramming that would
10 cause any program funding level to increase or decrease
11 by more than \$500,000 or 10 percent, whichever is less,
12 during the time period covered by this Act.

13 (b)(1) The Nuclear Regulatory Commission may
14 waive the notification requirement in subsection (a) if
15 compliance with such requirement would pose a substan-
16 tial risk to human health, the environment, welfare, or na-
17 tional security.

18 (2) The Nuclear Regulatory Commission shall notify
19 the Committees on Appropriations of both Houses of Con-
20 gress of any waiver under paragraph (1) as soon as prac-
21 ticable, but not later than 3 days after the date of the
22 activity to which a requirement or restriction would other-
23 wise have applied. Such notice shall include an explanation
24 of the substantial risk under paragraph (1) that permitted
25 such waiver and shall provide a detailed report to the

1 Committees of such waiver and changes to funding levels
2 to programs, projects, or activities.

3 (c) Except as provided in subsections (a), (b), and
4 (d), the amounts made available by this title for “Nuclear
5 Regulatory Commission—Salaries and Expenses” shall be
6 expended as directed in the report accompanying this Act.

7 (d) None of the funds provided for the Nuclear Regu-
8 latory Commission shall be available for obligation or ex-
9 penditure through a reprogramming of funds that in-
10 creases funds or personnel for any program, project, or
11 activity for which funds are denied or restricted by this
12 Act.

13 (e) The Commission shall provide a monthly report
14 to the Committees on Appropriations of both Houses of
15 Congress, which includes the following for each program,
16 project, or activity, including any prior year appropria-
17 tions—

- 18 (1) total budget authority;
19 (2) total unobligated balances; and
20 (3) total unliquidated obligations.

21 TITLE V

22 GENERAL PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 501. None of the funds appropriated by this Act
25 may be used in any way, directly or indirectly, to influence

1 congressional action on any legislation or appropriation
2 matters pending before Congress, other than to commu-
3 nicate to Members of Congress as described in 18 U.S.C.
4 1913.

5 SEC. 502. (a) None of the funds made available in
6 title III of this Act may be transferred to any department,
7 agency, or instrumentality of the United States Govern-
8 ment, except pursuant to a transfer made by or transfer
9 authority provided in this Act or any other appropriations
10 Act for any fiscal year, transfer authority referenced in
11 the report accompanying this Act, or any authority where-
12 by a department, agency, or instrumentality of the United
13 States Government may provide goods or services to an-
14 other department, agency, or instrumentality.

15 (b) None of the funds made available for any depart-
16 ment, agency, or instrumentality of the United States
17 Government may be transferred to accounts funded in title
18 III of this Act, except pursuant to a transfer made by or
19 transfer authority provided in this Act or any other appro-
20 priations Act for any fiscal year, transfer authority ref-
21 erenced in the report accompanying this Act, or any au-
22 thority whereby a department, agency, or instrumentality
23 of the United States Government may provide goods or
24 services to another department, agency, or instrumen-
25 tality.

1 (c) The head of any relevant department or agency
2 funded in this Act utilizing any transfer authority shall
3 submit to the Committees on Appropriations of both
4 Houses of Congress a semiannual report detailing the
5 transfer authorities, except for any authority whereby a
6 department, agency, or instrumentality of the United
7 States Government may provide goods or services to an-
8 other department, agency, or instrumentality, used in the
9 previous 6 months and in the year-to-date. This report
10 shall include the amounts transferred and the purposes
11 for which they were transferred, and shall not replace or
12 modify existing notification requirements for each author-
13 ity.

14 SEC. 503. None of the funds made available by this
15 Act may be used in contravention of Executive Order No.
16 12898 of February 11, 1994 (Federal Actions to Address
17 Environmental Justice in Minority Populations and Low-
18 Income Populations).

19 SEC. 504. (a) None of the funds made available in
20 this Act may be used to maintain or establish a computer
21 network unless such network blocks the viewing,
22 downloading, and exchanging of pornography.

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, Tribal, or local
25 law enforcement agency or any other entity carrying out

1 criminal investigations, prosecution, or adjudication activi-
2 ties.

3 This division may be cited as the “Energy and Water
4 Development and Related Agencies Appropriations Act,
5 2022”.

1 **DIVISION D—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2022**

4 TITLE I

5 DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Freedman's Bank Building; hire of pas-
11 senger motor vehicles; maintenance, repairs, and improve-
12 ments of, and purchase of commercial insurance policies
13 for, real properties leased or owned overseas, when nec-
14 essary for the performance of official business; executive
15 direction program activities; international affairs and eco-
16 nomic policy activities; domestic finance and tax policy ac-
17 tivities, including technical assistance to State, local, and
18 territorial entities; and Treasury-wide management poli-
19 cies and programs activities, \$270,669,000: *Provided,*
20 That of the amount appropriated under this heading—

21 (1) not to exceed \$350,000 is for official recep-
22 tion and representation expenses;

23 (2) not to exceed \$258,000 is for unforeseen
24 emergencies of a confidential nature to be allocated
25 and expended under the direction of the Secretary of

1 the Treasury and to be accounted for solely on the
2 Secretary's certificate; and

3 (3) not to exceed \$34,000,000 shall remain
4 available until September 30, 2023, for—

5 (A) the Treasury-wide Financial Statement
6 Audit and Internal Control Program;

7 (B) information technology modernization
8 requirements;

9 (C) the audit, oversight, and administra-
10 tion of the Gulf Coast Restoration Trust Fund;

11 (D) the development and implementation
12 of programs within the Office of Cybersecurity
13 and Critical Infrastructure Protection, including
14 entering into cooperative agreements;

15 (E) operations and maintenance of facili-
16 ties; and

17 (F) international operations.

18 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED

19 STATES FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Committee on Foreign
22 Investment in the United States, \$20,000,000, to remain
23 available until expended: *Provided*, That the chairperson
24 of the Committee may transfer such amounts to any de-
25 partment or agency represented on the Committee (includ-

1 ing the Department of the Treasury) subject to advance
2 notification to the Committees on Appropriations of the
3 House of Representatives and the Senate: *Provided fur-*
4 *ther*, That amounts so transferred shall remain available
5 until expended for expenses of implementing section 721
6 of the Defense Production Act of 1950, as amended (50
7 U.S.C. 4565), and shall be available in addition to any
8 other funds available to any department or agency: *Pro-*
9 *vided further*, That fees authorized by section 721(p) of
10 such Act shall be credited to this appropriation as offset-
11 ting collections: *Provided further*, That the total amount
12 appropriated under this heading from the general fund
13 shall be reduced as such offsetting collections are received
14 during fiscal year 2022, so as to result in a total appro-
15 priation from the general fund estimated at not more than
16 \$0.

17 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

18 SALARIES AND EXPENSES

19 For the necessary expenses of the Office of Terrorism
20 and Financial Intelligence to safeguard the financial sys-
21 tem against illicit use and to combat rogue nations, ter-
22 rorist facilitators, weapons of mass destruction
23 proliferators, human rights abusers, money launderers,
24 drug kingpins, and other national security threats,
25 \$185,192,000, of which not less than \$3,000,000 shall be

1 available for addressing human rights violations and cor-
2 ruption, including activities authorized by the Global
3 Magnitsky Human Rights Accountability Act (22 U.S.C.
4 2656 note): *Provided*, That of the amounts appropriated
5 under this heading, up to \$10,000,000 shall remain avail-
6 able until September 30, 2023.

7 CYBERSECURITY ENHANCEMENT ACCOUNT

8 For salaries and expenses for enhanced cybersecurity
9 for systems operated by the Department of the Treasury,
10 \$132,027,000, to remain available until September 30,
11 2024: *Provided*, That such funds shall supplement and not
12 supplant any other amounts made available to the Treas-
13 ury offices and bureaus for cybersecurity: *Provided fur-*
14 *ther*, That of the total amount made available under this
15 heading \$4,000,000 shall be available for administrative
16 expenses for the Treasury Chief Information Officer to
17 provide oversight of the investments made under this
18 heading: *Provided further*, That such funds shall supple-
19 ment and not supplant any other amounts made available
20 to the Treasury Chief Information Officer.

21 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

22 INVESTMENTS PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For development and acquisition of automatic data
25 processing equipment, software, and services and for re-

1 pairs and renovations to buildings owned by the Depart-
2 ment of the Treasury, \$6,118,000, to remain available
3 until September 30, 2024: *Provided*, That these funds
4 shall be transferred to accounts and in amounts as nec-
5 essary to satisfy the requirements of the Department's of-
6 fices, bureaus, and other organizations: *Provided further*,
7 That this transfer authority shall be in addition to any
8 other transfer authority provided in this Act: *Provided fur-*
9 *ther*, That none of the funds appropriated under this head-
10 ing shall be used to support or supplement "Internal Rev-
11 enue Service, Operations Support" or "Internal Revenue
12 Service, Business Systems Modernization".

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, \$42,362,000, including hire of pas-
18 senger motor vehicles; of which not to exceed \$100,000
19 shall be available for unforeseen emergencies of a con-
20 fidential nature, to be allocated and expended under the
21 direction of the Inspector General of the Treasury; of
22 which up to \$2,800,000 to remain available until Sep-
23 tember 30, 2023, shall be for audits and investigations
24 conducted pursuant to section 1608 of the Resources and
25 Ecosystems Sustainability, Tourist Opportunities, and Re-

1 lived Economies of the Gulf Coast States Act of 2012 (33
2 U.S.C. 1321 note); and of which not to exceed \$1,000
3 shall be available for official reception and representation
4 expenses.

5 TREASURY INSPECTOR GENERAL FOR TAX

6 ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Treasury Inspector
9 General for Tax Administration in carrying out the In-
10 spector General Act of 1978, as amended, including pur-
11 chase and hire of passenger motor vehicles (31 U.S.C.
12 1343(b)); and services authorized by 5 U.S.C. 3109, at
13 such rates as may be determined by the Inspector General
14 for Tax Administration; \$175,762,000, of which
15 \$5,000,000 shall remain available until September 30,
16 2023; of which not to exceed \$6,000,000 shall be available
17 for official travel expenses; of which not to exceed
18 \$500,000 shall be available for unforeseen emergencies of
19 a confidential nature, to be allocated and expended under
20 the direction of the Inspector General for Tax Administra-
21 tion; and of which not to exceed \$1,500 shall be available
22 for official reception and representation expenses.

1 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
2 ASSET RELIEF PROGRAM
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the Special
5 Inspector General in carrying out the provisions of the
6 Emergency Economic Stabilization Act of 2008 (Public
7 Law 110–343), \$17,000,000.

8 FINANCIAL CRIMES ENFORCEMENT NETWORK
9 SALARIES AND EXPENSES

10 For necessary expenses of the Financial Crimes En-
11 forcement Network, including hire of passenger motor ve-
12 hicles; travel and training expenses of non-Federal and
13 foreign government personnel to attend meetings and
14 training concerned with domestic and foreign financial in-
15 telligence activities, law enforcement, and financial regula-
16 tion; services authorized by 5 U.S.C. 3109; not to exceed
17 \$30,000 for official reception and representation expenses;
18 and for assistance to Federal law enforcement agencies,
19 with or without reimbursement, \$190,539,000, of which
20 not to exceed \$55,000,000 shall remain available until
21 September 30, 2024.

22 BUREAU OF THE FISCAL SERVICE
23 SALARIES AND EXPENSES

24 For necessary expenses of operations of the Bureau
25 of the Fiscal Service, \$360,266,000; of which not to ex-

1 ceed \$8,000,000, to remain available until September 30,
2 2024, is for information systems modernization initiatives;
3 and of which \$5,000 shall be available for official reception
4 and representation expenses.

5 In addition, \$165,000, to be derived from the Oil
6 Spill Liability Trust Fund to reimburse administrative
7 and personnel expenses for financial management of the
8 Fund, as authorized by section 1012 of Public Law 101–
9 380.

10 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

11 SALARIES AND EXPENSES

12 For necessary expenses of carrying out section 1111
13 of the Homeland Security Act of 2002, including hire of
14 passenger motor vehicles, \$131,330,000; of which not to
15 exceed \$6,000 shall be available for official reception and
16 representation expenses; and of which not to exceed
17 \$50,000 shall be available for cooperative research and de-
18 velopment programs for laboratory services; and provision
19 of laboratory assistance to State and local agencies with
20 or without reimbursement: *Provided*, That of the amount
21 appropriated under this heading, \$5,000,000 shall be for
22 the costs of accelerating the processing of formula and
23 label applications: *Provided further*, That of the amount
24 appropriated under this heading, \$5,000,000, to remain
25 available until September 30, 2023, shall be for the costs

1 associated with enforcement of and education regarding
2 the trade practice provisions of the Federal Alcohol Ad-
3 ministration Act (27 U.S.C. 201 et seq.).

4 UNITED STATES MINT

5 UNITED STATES MINT PUBLIC ENTERPRISE FUND

6 Pursuant to section 5136 of title 31, United States
7 Code, the United States Mint is provided funding through
8 the United States Mint Public Enterprise Fund for costs
9 associated with the production of circulating coins, numis-
10 matic coins, and protective services, including both oper-
11 ating expenses and capital investments: *Provided*, That
12 the aggregate amount of new liabilities and obligations in-
13 curred during fiscal year 2022 under such section 5136
14 for circulating coinage and protective service capital in-
15 vestments of the United States Mint shall not exceed
16 \$50,000,000.

17 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

18 FUND PROGRAM ACCOUNT

19 To carry out the Riegle Community Development and
20 Regulatory Improvement Act of 1994 (subtitle A of title
21 I of Public Law 103–325), including services authorized
22 by section 3109 of title 5, United States Code, but at rates
23 for individuals not to exceed the per diem rate equivalent
24 to the rate for EX–III, \$330,000,000. Of the amount ap-
25 propriated under this heading—

1 (1) not less than \$211,883,000, notwith-
2 standing section 108(e) of Public Law 103–325 (12
3 U.S.C. 4707(e)) with regard to Small and/or Emerg-
4 ing Community Development Financial Institutions
5 Assistance awards, is available until September 30,
6 2023, for financial assistance and technical assist-
7 ance under subparagraphs (A) and (B) of section
8 108(a)(1), respectively, of Public Law 103–325 (12
9 U.S.C. 4707(a)(1)(A) and (B)), of which up to
10 \$1,600,000 may be available for training and out-
11 reach under section 109 of Public Law 103–325 (12
12 U.S.C. 4708), of which up to \$3,153,750 may be
13 used for the cost of direct loans, and of which up
14 to \$8,000,000, notwithstanding subsection (d) of
15 section 108 of Public Law 103–325 (12 U.S.C. 4707
16 (d)), may be available to provide financial assistance,
17 technical assistance, training, and outreach to com-
18 munity development financial institutions to expand
19 investments that benefit individuals with disabilities,
20 and of which not less than \$2,000,000 shall be for
21 the Economic Mobility Corps pursuant to section
22 121 of the National and Community Service Act of
23 1990 (42 U.S.C. 12571): *Provided*, That the cost of
24 direct and guaranteed loans, including the cost of
25 modifying such loans, shall be as defined in section

1 502 of the Congressional Budget Act of 1974: *Pro-*
2 *vided further*, That these funds are available to sub-
3 sidize gross obligations for the principal amount of
4 direct loans not to exceed \$25,000,000: *Provided*
5 *further*, That of the funds provided under this para-
6 graph, excluding those made to community develop-
7 ment financial institutions to expand investments
8 that benefit individuals with disabilities and those
9 made to community development financial institu-
10 tions that serve populations living in persistent pov-
11 erty counties, the CDFI Fund shall prioritize Finan-
12 cial Assistance awards to organizations that invest
13 and lend in high-poverty areas: *Provided further*,
14 That for purposes of this section, the term “high-
15 poverty area” means any census tract with a poverty
16 rate of at least 20 percent as measured by the
17 2011–2015 5-year data series available from the
18 American Community Survey of the Bureau of the
19 Census for all States and Puerto Rico or with a pov-
20 erty rate of at least 20 percent as measured by the
21 2010 Island areas Decennial Census data for any
22 territory or possession of the United States;
23 (2) not less than \$21,500,000, notwithstanding
24 section 108(e) of Public Law 103–325 (12 U.S.C.
25 4707(e)), is available until September 30, 2023, for

1 financial assistance, technical assistance, training,
2 and outreach programs designed to benefit Native
3 American, Native Hawaiian, and Alaska Native com-
4 munities and provided primarily through qualified
5 community development lender organizations with
6 experience and expertise in community development
7 banking and lending in Indian country, Native
8 American organizations, tribes and tribal organiza-
9 tions, and other suitable providers;

10 (3) not less than \$28,000,000 is available until
11 September 30, 2023, for the Bank Enterprise Award
12 program;

13 (4) not less than \$25,000,000, notwithstanding
14 subsections (d) and (e) of section 108 of Public Law
15 103–325 (12 U.S.C. 4707(d) and (e)), is available
16 until September 30, 2023, for a Healthy Food Fi-
17 nancing Initiative to provide financial assistance,
18 technical assistance, training, and outreach to com-
19 munity development financial institutions for the
20 purpose of offering affordable financing and tech-
21 nical assistance to expand the availability of healthy
22 food options in distressed communities;

23 (5) not less than \$10,000,000 is available until
24 September 30, 2023, to provide grants for loan loss
25 reserve funds and to provide technical assistance for

1 small dollar loan programs under section 122 of
2 Public Law 103–325 (12 U.S.C. 4719): *Provided*,
3 That sections 108(d) and 122(b)(2) of such Public
4 Law shall not apply to the provision of such grants
5 and technical assistance;

6 (6) up to \$33,617,000 is available until Sep-
7 tember 30, 2022, for administrative expenses, in-
8 cluding administration of CDFI Fund programs and
9 the New Markets Tax Credit Program, of which not
10 less than \$1,000,000 is for the development of tools
11 to better assess and inform CDFI investment per-
12 formance and CDFI Fund program impacts, and up
13 to \$300,000 is for administrative expenses to carry
14 out the direct loan program; and

15 (7) during fiscal year 2022, none of the funds
16 available under this heading are available for the
17 cost, as defined in section 502 of the Congressional
18 Budget Act of 1974, of commitments to guarantee
19 bonds and notes under section 114A of the Riegle
20 Community Development and Regulatory Improve-
21 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
22 That commitments to guarantee bonds and notes
23 under such section 114A shall not exceed
24 \$500,000,000: *Provided further*, That such section
25 114A shall remain in effect until December 31,

1 2022: *Provided further*, That of the funds awarded
2 under this heading, except those provided for the
3 Economic Mobility Corps, not less than 10 percent
4 shall be used for awards that support investments
5 that serve populations living in persistent poverty
6 counties: *Provided further*, That for the purposes of
7 this paragraph and paragraph (1), the term “per-
8 sistent poverty counties” means any county, includ-
9 ing county equivalent areas in Puerto Rico, that has
10 had 20 percent or more of its population living in
11 poverty over the past 30 years, as measured by the
12 1990 and 2000 decennial censuses and the 2011–
13 2015 5-year data series available from the American
14 Community Survey of the Bureau of the Census or
15 any other territory or possession of the United
16 States that has had 20 percent or more of its popu-
17 lation living in poverty over the past 30 years, as
18 measured by the 1990, 2000 and 2010 Island Areas
19 Decennial Censuses, or equivalent data, of the Bu-
20 reau of the Census.

21 INTERNAL REVENUE SERVICE

22 TAXPAYER SERVICES

23 For necessary expenses of the Internal Revenue Serv-
24 ice to provide taxpayer services, including pre-filing assist-
25 ance and education, filing and account services, taxpayer

1 advocacy services, and other services as authorized by 5
2 U.S.C. 3109, at such rates as may be determined by the
3 Commissioner, \$2,940,876,000, of which not less than
4 \$11,000,000 shall be for the Tax Counseling for the El-
5 derly Program, of which not less than \$13,000,000 shall
6 be available for low-income taxpayer clinic grants, of which
7 not less than \$30,000,000, to remain available until Sep-
8 tember 30, 2023, shall be available for the Community
9 Volunteer Income Tax Assistance Matching Grants Pro-
10 gram for tax return preparation assistance, and of which
11 not less than \$213,000,000 shall be available for operating
12 expenses of the Taxpayer Advocate Service: *Provided*,
13 That of the amounts made available for the Taxpayer Ad-
14 vocate Service, not less than \$5,500,000 shall be for iden-
15 tity theft and refund fraud casework.

16 ENFORCEMENT

17 For necessary expenses for tax enforcement activities
18 of the Internal Revenue Service to determine and collect
19 owed taxes, to provide legal and litigation support, to con-
20 duct criminal investigations, to enforce criminal statutes
21 related to violations of internal revenue laws and other fi-
22 nancial crimes, to purchase and hire passenger motor vehi-
23 cles (31 U.S.C. 1343(b)), and to provide other services
24 as authorized by 5 U.S.C. 3109, at such rates as may be
25 determined by the Commissioner, \$5,462,823,000, of

1 which not to exceed \$250,000,000 shall remain available
2 until September 30, 2023; and of which not less than
3 \$60,257,000 shall be for the Interagency Crime and Drug
4 Enforcement program; and of which not to exceed
5 \$21,000,000 shall be for investigative technology for the
6 Criminal Investigation Division: *Provided*, That the
7 amount made available for investigative technology for the
8 Criminal Investigation Division shall be in addition to
9 amounts made available for the Criminal Investigation Di-
10 vision under the “Operations Support” heading: *Provided*
11 *further*, That the total amount made available in this para-
12 graph is provided to meet the terms of section 1(i) of H.
13 Res. 467 of the 117th Congress as engrossed in the House
14 of Representatives on June 14, 2021.

15 In addition, \$287,452,000, for an additional amount
16 for tax enforcement activities under this heading, includ-
17 ing tax compliance to address the Federal tax gap: *Pro-*
18 *vided*, That such amount is additional new budget author-
19 ity for purposes of section 1(i) of H. Res. 467 of the 117th
20 Congress as engrossed in the House of Representatives on
21 June 14, 2021: *Provided further*, That such additional
22 amounts may not be transferred for any other activity.

23 OPERATIONS SUPPORT

24 For necessary expenses of the Internal Revenue Serv-
25 ice to support taxpayer services and enforcement pro-

1 grams, including rent payments; facilities services; print-
2 ing; postage; physical security; headquarters and other
3 IRS-wide administration activities; research and statistics
4 of income; telecommunications; information technology de-
5 velopment, enhancement, operations, maintenance, and se-
6 curity; the hire of passenger motor vehicles (31 U.S.C.
7 1343(b)); the operations of the Internal Revenue Service
8 Oversight Board; and other services as authorized by 5
9 U.S.C. 3109, at such rates as may be determined by the
10 Commissioner; \$4,448,195,000, of which not to exceed
11 \$275,000,000 shall remain available until September 30,
12 2023; of which not to exceed \$10,000,000 shall remain
13 available until expended for acquisition of equipment and
14 construction, repair and renovation of facilities; of which
15 not to exceed \$1,000,000 shall remain available until Sep-
16 tember 30, 2024, for research; of which not less than
17 \$10,000,000, to remain available until expended, shall be
18 available for establishment of an application through
19 which entities registering and renewing registrations in
20 the System for Award Management may request an au-
21 thenticated electronic certification stating that the entity
22 does or does not have a seriously delinquent tax debt; of
23 which not to exceed \$20,000 shall be for official reception
24 and representation expenses: *Provided*, That not later
25 than 30 days after the end of each quarter, the Internal

1 Revenue Service shall submit a report to the Committees
2 on Appropriations of the House of Representatives and the
3 Senate and the Comptroller General of the United States
4 detailing major information technology investments in the
5 Internal Revenue Service Integrated Modernization Busi-
6 ness Plan portfolio, including detailed, plain language
7 summaries on the status of plans, costs, and results; prior
8 results and actual expenditures of the prior quarter; up-
9 coming deliverables and costs for the fiscal year; risks and
10 mitigation strategies associated with ongoing work; rea-
11 sons for any cost or schedule variances; and total expendi-
12 tures by fiscal year: *Provided further*, That the Internal
13 Revenue Service shall include, in its budget justification
14 for fiscal year 2023, a summary of cost and schedule per-
15 formance information for its major information technology
16 systems: *Provided further*, That the total amount made
17 available in this paragraph is provided to meet the terms
18 of section 1(i) of H. Res. 467 of the 117th Congress as
19 engrossed in the House of Representatives on June 14,
20 2021.

21 In addition, \$129,445,000, for an additional amount
22 to meet the terms of a concurrent resolution on the budget
23 for tax enforcement activities under this heading, includ-
24 ing tax compliance to address the Federal tax gap: *Pro-*
25 *vided*, That such amount is additional new budget author-

1 ity for purposes of section 1(i) of H. Res. 467 of the 117th
2 Congress as engrossed in the House of Representatives on
3 June 14, 2021: *Provided further*, That such additional
4 amounts may not be transferred for any other activity.

5 BUSINESS SYSTEMS MODERNIZATION

6 For necessary expenses of the Internal Revenue Serv-
7 ice's business systems modernization program,
8 \$305,032,000, to remain available until September 30,
9 2024, for the capital asset acquisition of information tech-
10 nology systems, including management and related con-
11 tractual costs of said acquisitions, including related Inter-
12 nal Revenue Service labor costs, and contractual costs as-
13 sociated with operations authorized by 5 U.S.C. 3109:
14 *Provided*, That not later than 30 days after the end of
15 each quarter, the Internal Revenue Service shall submit
16 a report to the Committees on Appropriations of the
17 House of Representatives and the Senate and the Comp-
18 troller General of the United States major information
19 technology investments in the Internal Revenue Service
20 Integrated Modernization Business Plan portfolio, includ-
21 ing detailed, plain language summaries on the status of
22 plans, costs, and results; prior results and actual expendi-
23 tures of the prior quarter; upcoming deliverables and costs
24 for the fiscal year; risks and mitigation strategies associ-

1 ated with ongoing work; reasons for any cost or schedule
2 variances; and total expenditures by fiscal year.

3 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

4 SERVICE

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 101. Not to exceed 4 percent of the appropria-
7 tion made available in this Act to the Internal Revenue
8 Service under the “Enforcement” heading, and not to ex-
9 ceed 5 percent of any other appropriation made available
10 in this Act to the Internal Revenue Service, may be trans-
11 ferred to any other Internal Revenue Service appropria-
12 tion upon the advance approval of the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate.

15 SEC. 102. The Internal Revenue Service shall main-
16 tain an employee training program, which shall include the
17 following topics: taxpayers’ rights, dealing courteously
18 with taxpayers, cross-cultural relations, ethics, and the im-
19 partial application of tax law.

20 SEC. 103. The Internal Revenue Service shall insti-
21 tute and enforce policies and procedures that will safe-
22 guard the confidentiality of taxpayer information and pro-
23 tect taxpayers against identity theft.

24 SEC. 104. Funds made available by this or any other
25 Act to the Internal Revenue Service shall be available for

1 improved facilities and increased staffing to provide suffi-
2 cient and effective 1–800 help line service for taxpayers.
3 The Commissioner shall continue to make improvements
4 to the Internal Revenue Service 1–800 help line service
5 a priority and allocate resources necessary to enhance the
6 response time to taxpayer communications, particularly
7 with regard to victims of tax-related crimes.

8 SEC. 105. The Internal Revenue Service shall issue
9 a notice of confirmation of any address change relating
10 to an employer making employment tax payments, and
11 such notice shall be sent to both the employer’s former
12 and new address and an officer or employee of the Internal
13 Revenue Service shall give special consideration to an
14 offer-in-compromise from a taxpayer who has been the vic-
15 tim of fraud by a third party payroll tax preparer.

16 SEC. 106. None of the funds made available under
17 this Act may be used by the Internal Revenue Service to
18 target citizens of the United States for exercising any
19 right guaranteed under the First Amendment to the Con-
20 stitution of the United States.

21 SEC. 107. None of the funds made available in this
22 Act may be used by the Internal Revenue Service to target
23 groups for regulatory scrutiny based on their ideological
24 beliefs.

1 SEC. 108. None of funds made available by this Act
2 to the Internal Revenue Service shall be obligated or ex-
3 pended on conferences that do not adhere to the proce-
4 dures, verification processes, documentation requirements,
5 and policies issued by the Chief Financial Officer, Human
6 Capital Office, and Agency-Wide Shared Services as a re-
7 sult of the recommendations in the report published on
8 May 31, 2013, by the Treasury Inspector General for Tax
9 Administration entitled “Review of the August 2010 Small
10 Business/Self-Employed Division’s Conference in Ana-
11 heim, California” (Reference Number 2013–10–037).

12 SEC. 109. None of the funds made available in this
13 Act to the Internal Revenue Service may be obligated or
14 expended—

15 (1) to make a payment to any employee under
16 a bonus, award, or recognition program; or

17 (2) under any hiring or personnel selection
18 process with respect to re-hiring a former employee;
19 unless such program or process takes into account the
20 conduct and Federal tax compliance of such employee or
21 former employee.

22 SEC. 110. None of the funds made available by this
23 Act may be used in contravention of section 6103 of the
24 Internal Revenue Code of 1986 (relating to confidentiality
25 and disclosure of returns and return information).

1 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 111. Appropriations to the Department of the
5 Treasury in this Act shall be available for uniforms or al-
6 lowances therefor, as authorized by law (5 U.S.C. 5901),
7 including maintenance, repairs, and cleaning; purchase of
8 insurance for official motor vehicles operated in foreign
9 countries; purchase of motor vehicles without regard to the
10 general purchase price limitations for vehicles purchased
11 and used overseas for the current fiscal year; entering into
12 contracts with the Department of State for the furnishing
13 of health and medical services to employees and their de-
14 pendants serving in foreign countries; and services author-
15 ized by 5 U.S.C. 3109.

16 SEC. 112. Not to exceed 2 percent of any appropria-
17 tions in this title made available under the headings “De-
18 partmental Offices—Salaries and Expenses”, “Office of
19 Inspector General”, “Special Inspector General for the
20 Troubled Asset Relief Program”, “Financial Crimes En-
21 forcement Network”, “Bureau of the Fiscal Service”, and
22 “Alcohol and Tobacco Tax and Trade Bureau” may be
23 transferred between such appropriations upon the advance
24 approval of the Committees on Appropriations of the
25 House of Representatives and the Senate: *Provided*, That

1 no transfer under this section may increase or decrease
2 any such appropriation by more than 2 percent.

3 SEC. 113. Of the amounts made available to the In-
4 ternal Revenue Service in this Act, \$4,000,000 shall be
5 transferred to “Treasury Inspector General for Tax Ad-
6 ministration” upon the advance approval of the Commit-
7 tees on Appropriations of the House of Representatives
8 and the Senate.

9 SEC. 114. None of the funds appropriated in this Act
10 or otherwise available to the Department of the Treasury
11 or the Bureau of Engraving and Printing may be used
12 to redesign the \$1 Federal Reserve note.

13 SEC. 115. The Secretary of the Treasury may trans-
14 fer funds from the “Bureau of the Fiscal Service—Sala-
15 ries and Expenses” to the Debt Collection Fund as nec-
16 essary to cover the costs of debt collection: *Provided*, That
17 such amounts shall be reimbursed to such salaries and ex-
18 penses account from debt collections received in the Debt
19 Collection Fund.

20 SEC. 116. None of the funds appropriated or other-
21 wise made available by this or any other Act may be used
22 by the United States Mint to construct or operate any mu-
23 seum without the explicit approval of the Committees on
24 Appropriations of the House of Representatives and the
25 Senate, the House Committee on Financial Services, and

1 the Senate Committee on Banking, Housing, and Urban
2 Affairs.

3 SEC. 117. None of the funds appropriated or other-
4 wise made available by this or any other Act or source
5 to the Department of the Treasury, the Bureau of Engrav-
6 ing and Printing, and the United States Mint, individually
7 or collectively, may be used to consolidate any or all func-
8 tions of the Bureau of Engraving and Printing and the
9 United States Mint without the explicit approval of the
10 House Committee on Financial Services; the Senate Com-
11 mittee on Banking, Housing, and Urban Affairs; and the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate.

14 SEC. 118. Funds appropriated by this Act, or made
15 available by the transfer of funds in this Act, for the De-
16 partment of the Treasury's intelligence or intelligence re-
17 lated activities are deemed to be specifically authorized by
18 the Congress for purposes of section 504 of the National
19 Security Act of 1947 (50 U.S.C. 414) during fiscal year
20 2022 until the enactment of the Intelligence Authorization
21 Act for Fiscal Year 2022.

22 SEC. 119. Not to exceed \$5,000 shall be made avail-
23 able from the Bureau of Engraving and Printing's Indus-
24 trial Revolving Fund for necessary official reception and
25 representation expenses.

1 SEC. 120. The Secretary of the Treasury shall submit
2 a Capital Investment Plan to the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 not later than 30 days following the submission of the an-
5 nual budget submitted by the President: *Provided*, That
6 such Capital Investment Plan shall include capital invest-
7 ment spending from all accounts within the Department
8 of the Treasury, including but not limited to the Depart-
9 ment-wide Systems and Capital Investment Programs ac-
10 count, Treasury Franchise Fund account, and the Treas-
11 ury Forfeiture Fund account: *Provided further*, That such
12 Capital Investment Plan shall include expenditures occur-
13 ring in previous fiscal years for each capital investment
14 project that has not been fully completed.

15 SEC. 121. Within 45 days after the date of enactment
16 of this Act, the Secretary of the Treasury shall submit
17 an itemized report to the Committees on Appropriations
18 of the House of Representatives and the Senate on the
19 amount of total funds charged to each office by the Fran-
20 chise Fund including the amount charged for each service
21 provided by the Franchise Fund to each office, a detailed
22 description of the services, a detailed explanation of how
23 each charge for each service is calculated, and a descrip-
24 tion of the role customers have in governing in the Fran-
25 chise Fund.

1 SEC. 122. (a) Not later than 60 days after the end
2 of each quarter, the Office of Financial Stability and the
3 Office of Financial Research shall submit reports on their
4 activities to the Committees on Appropriations of the
5 House of Representatives and the Senate, the Committee
6 on Financial Services of the House of Representatives,
7 and the Senate Committee on Banking, Housing, and
8 Urban Affairs.

9 (b) The reports required under subsection (a) shall
10 include—

11 (1) the obligations made during the previous
12 quarter by object class, office, and activity;

13 (2) the estimated obligations for the remainder
14 of the fiscal year by object class, office, and activity;

15 (3) the number of full-time equivalents within
16 each office during the previous quarter;

17 (4) the estimated number of full-time equiva-
18 lents within each office for the remainder of the fis-
19 cal year; and

20 (5) actions taken to achieve the goals, objec-
21 tives, and performance measures of each office.

22 (c) At the request of any such Committees specified
23 in subsection (a), the Office of Financial Stability and the
24 Office of Financial Research shall make officials available

1 to testify on the contents of the reports required under
2 subsection (a).

3 This title may be cited as the “Department of the
4 Treasury Appropriations Act, 2022”.

5 TITLE II
6 EXECUTIVE OFFICE OF THE PRESIDENT AND
7 FUNDS APPROPRIATED TO THE PRESIDENT

8 THE WHITE HOUSE
9 SALARIES AND EXPENSES

10 For necessary expenses for the White House as au-
11 thorized by law, including not to exceed \$3,850,000 for
12 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
13 subsistence expenses as authorized by 3 U.S.C. 105, which
14 shall be expended and accounted for as provided in that
15 section; hire of passenger motor vehicles, and travel (not
16 to exceed \$100,000 to be expended and accounted for as
17 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
18 official reception and representation expenses, to be avail-
19 able for allocation within the Executive Office of the Presi-
20 dent; and for necessary expenses of the Office of Policy
21 Development, including services as authorized by 5 U.S.C.
22 3109 and 3 U.S.C. 107, \$76,262,000.

1 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

2 OPERATING EXPENSES

3 For necessary expenses of the Executive Residence
4 at the White House, \$15,077,000, to be expended and ac-
5 counted for as provided by 3 U.S.C. 105, 109, 110, and
6 112–114.

7 REIMBURSABLE EXPENSES

8 For the reimbursable expenses of the Executive Resi-
9 dence at the White House, such sums as may be nec-
10 essary: *Provided*, That all reimbursable operating expenses
11 of the Executive Residence shall be made in accordance
12 with the provisions of this paragraph: *Provided further*,
13 That, notwithstanding any other provision of law, such
14 amount for reimbursable operating expenses shall be the
15 exclusive authority of the Executive Residence to incur ob-
16 ligations and to receive offsetting collections, for such ex-
17 penses: *Provided further*, That the Executive Residence
18 shall require each person sponsoring a reimbursable polit-
19 ical event to pay in advance an amount equal to the esti-
20 mated cost of the event, and all such advance payments
21 shall be credited to this account and remain available until
22 expended: *Provided further*, That the Executive Residence
23 shall require the national committee of the political party
24 of the President to maintain on deposit \$25,000, to be
25 separately accounted for and available for expenses relat-

1 ing to reimbursable political events sponsored by such
2 committee during such fiscal year: *Provided further*, That
3 the Executive Residence shall ensure that a written notice
4 of any amount owed for a reimbursable operating expense
5 under this paragraph is submitted to the person owing
6 such amount within 60 days after such expense is in-
7 curred, and that such amount is collected within 30 days
8 after the submission of such notice: *Provided further*, That
9 the Executive Residence shall charge interest and assess
10 penalties and other charges on any such amount that is
11 not reimbursed within such 30 days, in accordance with
12 the interest and penalty provisions applicable to an out-
13 standing debt on a United States Government claim under
14 31 U.S.C. 3717: *Provided further*, That each such amount
15 that is reimbursed, and any accompanying interest and
16 charges, shall be deposited in the Treasury as miscella-
17 neous receipts: *Provided further*, That the Executive Resi-
18 dence shall prepare and submit to the Committees on Ap-
19 propriations, by not later than 90 days after the end of
20 the fiscal year covered by this Act, a report setting forth
21 the reimbursable operating expenses of the Executive Res-
22 idence during the preceding fiscal year, including the total
23 amount of such expenses, the amount of such total that
24 consists of reimbursable official and ceremonial events, the
25 amount of such total that consists of reimbursable political

1 events, and the portion of each such amount that has been
2 reimbursed as of the date of the report: *Provided further*,
3 That the Executive Residence shall maintain a system for
4 the tracking of expenses related to reimbursable events
5 within the Executive Residence that includes a standard
6 for the classification of any such expense as political or
7 nonpolitical: *Provided further*, That no provision of this
8 paragraph may be construed to exempt the Executive Res-
9 idence from any other applicable requirement of sub-
10 chapter I or II of chapter 37 of title 31, United States
11 Code.

12 WHITE HOUSE REPAIR AND RESTORATION

13 For the repair, alteration, and improvement of the
14 Executive Residence at the White House pursuant to 3
15 U.S.C. 105(d), \$2,500,000, to remain available until ex-
16 pended, for required maintenance, resolution of safety and
17 health issues, and continued preventative maintenance.

18 COUNCIL OF ECONOMIC ADVISERS

19 SALARIES AND EXPENSES

20 For necessary expenses of the Council of Economic
21 Advisers in carrying out its functions under the Employ-
22 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,732,000.

1 NATIONAL SECURITY COUNCIL AND HOMELAND

2 SECURITY COUNCIL

3 SALARIES AND EXPENSES

4 For necessary expenses of the National Security
5 Council and the Homeland Security Council, including
6 services as authorized by 5 U.S.C. 3109, \$12,894,000, of
7 which not to exceed \$5,000 shall be available for official
8 reception and representation expenses.

9 OFFICE OF ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Administra-
12 tion, including services as authorized by 5 U.S.C. 3109
13 and 3 U.S.C. 107, and hire of passenger motor vehicles,
14 \$110,768,000, of which not to exceed \$12,800,000 shall
15 remain available until expended for continued moderniza-
16 tion of information resources within the Executive Office
17 of the President: *Provided* , That of the amounts provided
18 under this heading, up to \$4,500,000 shall be available
19 for a program to provide payments (such as stipends, sub-
20 sistence allowances, cost reimbursements, or awards) to
21 students, recent graduates, and veterans recently dis-
22 charged from active duty who are performing voluntary
23 services in the Executive Office of the President under sec-
24 tion 3111(b) of title 5, United States Code, or comparable
25 authority and shall be in addition to amounts otherwise

1 available to pay or compensate such individuals: *Provided*
2 *further*, That such payments shall not be considered com-
3 pensation for purposes of such section 3111(b) and may
4 be paid in advance.

5 OFFICE OF MANAGEMENT AND BUDGET

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Management
8 and Budget, including hire of passenger motor vehicles
9 and services as authorized by 5 U.S.C. 3109, to carry out
10 the provisions of chapter 35 of title 44, United States
11 Code, and to prepare and submit the budget of the United
12 States Government, in accordance with section 1105(a) of
13 title 31, United States Code, \$122,854,000, of which not
14 to exceed \$3,000 shall be available for official representa-
15 tion expenses: *Provided*, That none of the funds appro-
16 priated in this Act for the Office of Management and
17 Budget may be used for the purpose of reviewing any agri-
18 cultural marketing orders or any activities or regulations
19 under the provisions of the Agricultural Marketing Agree-
20 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
21 That none of the funds made available for the Office of
22 Management and Budget by this Act may be expended for
23 the altering of the transcript of actual testimony of wit-
24 nesses, except for testimony of officials of the Office of
25 Management and Budget, before the Committees on Ap-

1 appropriations or their subcommittees: *Provided further,*
2 That none of the funds made available for the Office of
3 Management and Budget by this Act may be expended for
4 the altering of the annual work plan developed by the
5 Corps of Engineers for submission to the Committees on
6 Appropriations: *Provided further,* That none of the funds
7 provided in this or prior Acts shall be used, directly or
8 indirectly, by the Office of Management and Budget, for
9 evaluating or determining if water resource project or
10 study reports submitted by the Chief of Engineers acting
11 through the Secretary of the Army are in compliance with
12 all applicable laws, regulations, and requirements relevant
13 to the Civil Works water resource planning process: *Pro-*
14 *vided further,* That the Office of Management and Budget
15 shall have not more than 60 days in which to perform
16 budgetary policy reviews of water resource matters on
17 which the Chief of Engineers has reported: *Provided fur-*
18 *ther,* That the Director of the Office of Management and
19 Budget shall notify the appropriate authorizing and ap-
20 propriating committees when the 60-day review is initi-
21 ated: *Provided further,* That if water resource reports have
22 not been transmitted to the appropriate authorizing and
23 appropriating committees within 15 days after the end of
24 the Office of Management and Budget review period based
25 on the notification from the Director, Congress shall as-

1 sume Office of Management and Budget concurrence with
2 the report and act accordingly: *Provided further*, That no
3 later than 14 days after the submission of the budget of
4 the United States Government for fiscal year 2023, the
5 Director of the Office of Management and Budget shall
6 make publicly available on a website a tabular list for each
7 agency that submits budget justification materials (as de-
8 fined in section 3 of the Federal Funding Accountability
9 and Transparency Act of 2006) that shall include, at min-
10 imum, the name of the agency, the date on which the
11 budget justification materials of the agency were sub-
12 mitted to Congress, and a uniform resource locator where
13 the budget justification materials are published on the
14 website of the agency.

15 INTELLECTUAL PROPERTY ENFORCEMENT

16 COORDINATOR

17 For necessary expenses of the Office of the Intellec-
18 tual Property Enforcement Coordinator, as authorized by
19 title III of the Prioritizing Resources and Organization for
20 Intellectual Property Act of 2008 (Public Law 110–403),
21 including services authorized by 5 U.S.C. 3109,
22 \$1,838,000.

1 OFFICE OF THE NATIONAL CYBER DIRECTOR

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the National
4 Cyber Director, as authorized by section 1752 of the Wil-
5 liam M. (Mac) Thornberry National Defense Authoriza-
6 tion Act for Fiscal Year 2021 (Public Law 116–283),
7 \$18,750,000, of which not to exceed \$5,000 shall be avail-
8 able for official reception and representation expenses.

9 OFFICE OF NATIONAL DRUG CONTROL POLICY

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of National
12 Drug Control Policy; for research activities pursuant to
13 the Office of National Drug Control Policy Reauthoriza-
14 tion Act of 1998, as amended; not to exceed \$10,000 for
15 official reception and representation expenses; and for par-
16 ticipation in joint projects or in the provision of services
17 on matters of mutual interest with nonprofit, research, or
18 public organizations or agencies, with or without reim-
19 bursement, \$21,300,000: *Provided*, That the Office is au-
20 thorized to accept, hold, administer, and utilize gifts, both
21 real and personal, public and private, without fiscal year
22 limitation, for the purpose of aiding or facilitating the
23 work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$300,000,000, to remain available until
7 September 30, 2023, for drug control activities consistent
8 with the approved strategy for each of the designated
9 High Intensity Drug Trafficking Areas ("HIDTAs"), of
10 which not less than 51 percent shall be transferred to
11 State and local entities for drug control activities and shall
12 be obligated not later than 120 days after enactment of
13 this Act: *Provided*, That up to 49 percent may be trans-
14 ferred to Federal agencies and departments in amounts
15 determined by the Director of the Office of National Drug
16 Control Policy, of which up to \$2,700,000 may be used
17 for auditing services and associated activities and
18 \$3,500,000 shall be for a new Grants Management System
19 for use by the Office of National Drug Control Policy: *Pro-*
20 *vided further*, That any unexpended funds obligated prior
21 to fiscal year 2020 may be used for any other approved
22 activities of that HIDTA, subject to reprogramming re-
23 quirements: *Provided further*, That each HIDTA des-
24 ignated as of September 30, 2021, shall be funded at not
25 less than the fiscal year 2021 base level, unless the Direc-

1 tor submits to the Committees on Appropriations of the
2 House of Representatives and the Senate justification for
3 changes to those levels based on clearly articulated prior-
4 ities and published Office of National Drug Control Policy
5 performance measures of effectiveness: *Provided further*,
6 That the Director shall notify the Committees on Appro-
7 priations of the initial allocation of fiscal year 2022 fund-
8 ing among HIDTAs not later than 45 days after enact-
9 ment of this Act, and shall notify the Committees of
10 planned uses of discretionary HIDTA funding, as deter-
11 mined in consultation with the HIDTA Directors, not
12 later than 90 days after enactment of this Act: *Provided*
13 *further*, That upon a determination that all or part of the
14 funds so transferred from this appropriation are not nec-
15 essary for the purposes provided herein and upon notifica-
16 tion to the Committees on Appropriations of the House
17 of Representatives and the Senate, such amounts may be
18 transferred back to this appropriation.

19 OTHER FEDERAL DRUG CONTROL PROGRAMS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For other drug control activities authorized by the
22 Anti-Drug Abuse Act of 1988 and the Office of National
23 Drug Control Policy Reauthorization Act of 1998, as
24 amended, \$136,617,000, to remain available until ex-
25 pended, which shall be available as follows: \$110,000,000

1 for the Drug-Free Communities Program, of which
2 \$2,500,000 shall be made available as directed by section
3 4 of Public Law 107–82, as amended by section 8204 of
4 Public Law 115–271; \$3,000,000 for drug court training
5 and technical assistance; \$14,000,000 for anti-doping ac-
6 tivities; up to \$3,167,000 for the United States member-
7 ship dues to the World Anti-Doping Agency; \$1,250,000
8 for the Model Acts Program; and \$5,200,000 for activities
9 authorized by section 103 of Public Law 114–198: *Pro-*
10 *vided*, That amounts made available under this heading
11 may be transferred to other Federal departments and
12 agencies to carry out such activities: *Provided further*,
13 That the Director of the Office of National Drug Control
14 Policy shall, not fewer than 30 days prior to obligating
15 funds under this heading for United States membership
16 dues to the World Anti-Doping Agency, submit to the
17 Committees on Appropriations of the House of Represent-
18 atives and the Senate a spending plan and explanation of
19 the proposed uses of these funds.

20 UNANTICIPATED NEEDS

21 For expenses necessary to enable the President to
22 meet unanticipated needs, in furtherance of the national
23 interest, security, or defense which may arise at home or
24 abroad during the current fiscal year, as authorized by

1 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
2 tember 30, 2023.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-
6 grated, efficient, secure, and effective uses of information
7 technology in the Federal Government, \$10,442,000, to
8 remain available until expended: *Provided*, That the Direc-
9 tor of the Office of Management and Budget may transfer
10 these funds to one or more other agencies to carry out
11 projects to meet these purposes.

12 SPECIAL ASSISTANCE TO THE PRESIDENT
13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President
15 to provide assistance to the President in connection with
16 specially assigned functions; services as authorized by 5
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
18 penses as authorized by 3 U.S.C. 106, which shall be ex-
19 pended and accounted for as provided in that section; and
20 hire of passenger motor vehicles, \$5,726,000.

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
22 OPERATING EXPENSES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the care, operation, refurnishing, improvement,
25 and to the extent not otherwise provided for, heating and

1 lighting, including electric power and fixtures, of the offi-
2 cial residence of the Vice President; the hire of passenger
3 motor vehicles; and not to exceed \$90,000 pursuant to 3
4 U.S.C. 106(b)(2), \$313,000: *Provided*, That advances, re-
5 payments, or transfers from this appropriation may be
6 made to any department or agency for expenses of car-
7 rying out such activities.

8 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
9 THE PRESIDENT AND FUNDS APPROPRIATED TO
10 THE PRESIDENT

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. From funds made available in this Act
13 under the headings “The White House”, “Executive Resi-
14 dence at the White House”, “White House Repair and
15 Restoration”, “Council of Economic Advisers”, “National
16 Security Council and Homeland Security Council”, “Of-
17 fice of Administration”, “Special Assistance to the Presi-
18 dent”, and “Official Residence of the Vice President”, the
19 Director of the Office of Management and Budget (or
20 such other officer as the President may designate in writ-
21 ing), may, with advance approval of the Committees on
22 Appropriations of the House of Representatives and the
23 Senate, transfer not to exceed 10 percent of any such ap-
24 propriation to any other such appropriation, to be merged
25 with and available for the same time and for the same

1 purposes as the appropriation to which transferred: *Pro-*
2 *vided*, That the amount of an appropriation shall not be
3 increased by more than 50 percent by such transfers: *Pro-*
4 *vided further*, That no amount shall be transferred from
5 “Special Assistance to the President” or “Official Resi-
6 dence of the Vice President” without the approval of the
7 Vice President.

8 SEC. 202. (a) During fiscal year 2022, any Executive
9 order or Presidential memorandum issued or revoked by
10 the President shall be accompanied by a written statement
11 from the Director of the Office of Management and Budg-
12 et on the budgetary impact, including costs, benefits, and
13 revenues, of such order or memorandum.

14 (b) Any such statement shall include—

15 (1) a narrative summary of the budgetary im-
16 pact of such order or memorandum on the Federal
17 Government;

18 (2) the impact on mandatory and discretionary
19 obligations and outlays as the result of such order
20 or memorandum, listed by Federal agency, for each
21 year in the 5-fiscal-year period beginning in fiscal
22 year 2022; and

23 (3) the impact on revenues of the Federal Gov-
24 ernment as the result of such order or memorandum

1 over the 5-fiscal-year period beginning in fiscal year
2 2022.

3 (c) If an Executive order or Presidential memo-
4 randum is issued during fiscal year 2022 due to a national
5 emergency, the Director of the Office of Management and
6 Budget may issue the statement required by subsection
7 (a) not later than 15 days after the date that such order
8 or memorandum is issued.

9 (d) The requirement for cost estimates for Presi-
10 dential memoranda shall only apply for Presidential
11 memoranda estimated to have a regulatory cost in excess
12 of \$100,000,000.

13 SEC. 203. Not later than 30 days after the date of
14 enactment of this Act, the Director of the Office of Man-
15 agement and Budget shall issue a memorandum to all
16 Federal departments, agencies, and corporations directing
17 compliance with the provisions in title VII of this Act.

18 SEC. 204. (a) Beginning not later than 10 days after
19 the date of enactment of this Act and until the require-
20 ments of subsection (b) are completed, the Office of Man-
21 agement and Budget shall provide to the Committees on
22 Appropriations and the Budget of the House of Represent-
23 atives and the Senate each document apportioning an ap-
24 propriation, pursuant to section 1513(b) of title 31,
25 United States Code, approved by the Office of Manage-

1 ment and Budget, including any associated footnotes, not
2 later than 2 business days after the date of approval of
3 such apportionment by the Office of Management and
4 Budget.

5 (b) Not later than 120 days after the date of enact-
6 ment of this Act, the Office of Management and Budget
7 shall complete implementation of an automated system to
8 post each document apportioning an appropriation, pursu-
9 ant to section 1513(b) of title 31, United States Code,
10 including any associated footnotes, in a format that quali-
11 fies each such document as an Open Government Data
12 Asset (as defined in section 3502 of title 44, United States
13 Code), not later than 2 business days after the date of
14 approval of such apportionment, and shall place on such
15 website each document apportioning an appropriation,
16 pursuant to such section 1513(b), including any associated
17 footnotes, already approved the current fiscal year, and
18 shall report the date of completion of such requirements
19 to the Committees on Appropriations and the Budget of
20 the House of Representatives and Senate.

21 (c) Each document apportioning an appropriation
22 pursuant to section 1513(b) of title 31, United States
23 Code, that is posted on a publicly accessible website pursu-
24 ant to such section shall also include a written explanation
25 by the official approving each such apportionment stating

1 the rationale for the apportionment schedule and for any
2 footnotes for apportioned amounts: *Provided*, That the Of-
3 fice of Management and Budget or the applicable depart-
4 ment or agency shall make available classified documenta-
5 tion referenced in any apportionment at the request of the
6 chair or ranking member of any appropriate congressional
7 committee or subcommittee.

8 (d)(1) Not later than 15 days after the date of enact-
9 ment of this Act, any delegation of apportionment author-
10 ity pursuant to section 1513(b) of title 31, United States
11 Code, that is in effect as of such date shall be submitted
12 for publication in the Federal Register: *Provided*, That
13 any delegation of such apportionment authority after the
14 date of enactment of this section shall, on the date of such
15 delegation, be submitted for publication in the Federal
16 Register: *Provided further*, That the Office of Management
17 and Budget shall publish such delegations in a format that
18 qualifies such publications as an Open Government Data
19 Asset (as defined in section 3502 of title 44, United States
20 Code) on a public Internet website, which shall be continu-
21 ously updated with the position of each Federal officer or
22 employee to whom apportionment authority has been dele-
23 gated.

24 (2) Not later than 5 days after any change in the
25 position of the approving official with respect to such dele-

1 gated apportionment authority for any account is made,
2 the Office shall submit a report to the appropriate con-
3 gressional committees explaining why such change was
4 made.

5 This title may be cited as the “Executive Office of
6 the President Appropriations Act, 2022”.

7 TITLE III

8 THE JUDICIARY

9 SUPREME COURT OF THE UNITED STATES

10 SALARIES AND EXPENSES

11 For expenses necessary for the operation of the Su-
12 preme Court, as required by law, excluding care of the
13 building and grounds, including hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
15 to exceed \$10,000 for official reception and representation
16 expenses; and for miscellaneous expenses, to be expended
17 as the Chief Justice may approve, \$98,338,000, of which
18 \$1,500,000 shall remain available until expended.

19 In addition, there are appropriated such sums as may
20 be necessary under current law for the salaries of the chief
21 justice and associate justices of the court.

22 CARE OF THE BUILDING AND GROUNDS

23 For such expenditures as may be necessary to enable
24 the Architect of the Capitol to carry out the duties im-

1 posed upon the Architect by 40 U.S.C. 6111 and 6112,
2 \$10,309,000, to remain available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

6 For salaries of officers and employees, and for nec-
7 essary expenses of the court, as authorized by law,
8 \$34,506,000.

9 In addition, there are appropriated such sums as may
10 be necessary under current law for the salaries of the chief
11 judge and judges of the court.

12 UNITED STATES COURT OF INTERNATIONAL TRADE

13 SALARIES AND EXPENSES

14 For salaries of officers and employees of the court,
15 services, and necessary expenses of the court, as author-
16 ized by law, \$20,766,000.

17 In addition, there are appropriated such sums as may
18 be necessary under current law for the salaries of the chief
19 judge and judges of the court.

20 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

21 JUDICIAL SERVICES

22 SALARIES AND EXPENSES

23 For the salaries of judges of the United States Court
24 of Federal Claims, magistrate judges, and all other offi-
25 cers and employees of the Federal Judiciary not otherwise

1 specifically provided for, necessary expenses of the courts,
2 and the purchase, rental, repair, and cleaning of uniforms
3 for Probation and Pretrial Services Office staff, as author-
4 ized by law, \$5,724,360,000 (including the purchase of
5 firearms and ammunition); of which not to exceed
6 \$27,817,000 shall remain available until expended for
7 space alteration projects and for furniture and furnishings
8 related to new space alteration and construction projects.

9 In addition, there are appropriated such sums as may
10 be necessary under current law for the salaries of circuit
11 and district judges (including judges of the territorial
12 courts of the United States), bankruptcy judges, and jus-
13 tices and judges retired from office or from regular active
14 service.

15 In addition, for expenses of the United States Court
16 of Federal Claims associated with processing cases under
17 the National Childhood Vaccine Injury Act of 1986 (Pub-
18 lic Law 99–660), not to exceed \$9,850,000, to be appro-
19 priated from the Vaccine Injury Compensation Trust
20 Fund.

21 DEFENDER SERVICES

22 For the operation of Federal Defender organizations;
23 the compensation and reimbursement of expenses of attor-
24 neys appointed to represent persons under 18 U.S.C.
25 3006A and 3599, and for the compensation and reim-

1 bursement of expenses of persons furnishing investigative,
2 expert, and other services for such representations as au-
3 thorized by law; the compensation (in accordance with the
4 maximums under 18 U.S.C. 3006A) and reimbursement
5 of expenses of attorneys appointed to assist the court in
6 criminal cases where the defendant has waived representa-
7 tion by counsel; the compensation and reimbursement of
8 expenses of attorneys appointed to represent jurors in civil
9 actions for the protection of their employment, as author-
10 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
11 bursement of expenses of attorneys appointed under 18
12 U.S.C. 983(b)(1) in connection with certain judicial civil
13 forfeiture proceedings; the compensation and reimburse-
14 ment of travel expenses of guardians ad litem appointed
15 under 18 U.S.C. 4100(b); and for necessary training and
16 general administrative expenses, \$1,368,175,000 to re-
17 main available until expended.

18 FEES OF JURORS AND COMMISSIONERS

19 For fees and expenses of jurors as authorized by 28
20 U.S.C. 1871 and 1876; compensation of jury commis-
21 sioners as authorized by 28 U.S.C. 1863; and compensa-
22 tion of commissioners appointed in condemnation cases
23 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
24 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$46,957,000,
25 to remain available until expended: *Provided*, That the

1 compensation of land commissioners shall not exceed the
2 daily equivalent of the highest rate payable under 5 U.S.C.
3 5332.

4 COURT SECURITY

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses, not otherwise provided for,
7 incident to the provision of protective guard services for
8 United States courthouses and other facilities housing
9 Federal court operations, and the procurement, installa-
10 tion, and maintenance of security systems and equipment
11 for United States courthouses and other facilities housing
12 Federal court operations, including building ingress-egress
13 control, inspection of mail and packages, directed security
14 patrols, perimeter security, basic security services provided
15 by the Federal Protective Service, and other similar activi-
16 ties as authorized by section 1010 of the Judicial Improve-
17 ment and Access to Justice Act (Public Law 100-702),
18 \$682,265,000, of which not to exceed \$20,000,000 shall
19 remain available until expended, to be expended directly
20 or transferred to the United States Marshals Service,
21 which shall be responsible for administering the Judicial
22 Facility Security Program consistent with standards or
23 guidelines agreed to by the Director of the Administrative
24 Office of the United States Courts and the Attorney Gen-
25 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$103,628,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90-219, \$32,151,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2023, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$20,829,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the matter following paragraph 12—

22 (1) in the second sentence (relating to the Dis-
23 trict of Kansas), by striking “30 years and 6
24 months” and inserting “31 years and 6 months”;
25 and

1 (2) in the sixth sentence (relating to the Dis-
2 trict of Hawaii), by striking “27 years and 6
3 months” and inserting “28 years and 6 months”.

4 (b) Section 406 of the Transportation, Treasury,
5 Housing and Urban Development, the Judiciary, the Dis-
6 trict of Columbia, and Independent Agencies Appropria-
7 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
8 28 U.S.C. 133 note) is amended in the second sentence
9 (relating to the eastern District of Missouri) by striking
10 “28 years and 6 months” and inserting “29 years and
11 6 months”.

12 (c) Section 312(c)(2) of the 21st Century Depart-
13 ment of Justice Appropriations Authorization Act (Public
14 Law 107–273; 28 U.S.C. 133 note), is amended—

15 (1) in the first sentence by striking “19 years”
16 and inserting “20 years”;

17 (2) in the second sentence (relating to the cen-
18 tral District of California), by striking “18 years
19 and 6 months” and inserting “19 years and 6
20 months”; and

21 (3) in the third sentence (relating to the west-
22 ern district of North Carolina), by striking “17
23 years” and inserting “18 years”.

24 This title may be cited as the “Judiciary Appropria-
25 tions Act, 2022”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia,
to be deposited into a dedicated account, for a nationwide
program to be administered by the Mayor, for District of
Columbia resident tuition support, \$40,000,000, to remain
available until expended: *Provided*, That such funds, in-
cluding any interest accrued thereon, may be used on be-
half of eligible District of Columbia residents to pay an
amount based upon the difference between in-State and
out-of-State tuition at public institutions of higher edu-
cation, or to pay up to \$2,500 each year at eligible private
institutions of higher education: *Provided further*, That the
awarding of such funds may be prioritized on the basis
of a resident's academic merit, the income and need of
eligible students and such other factors as may be author-
ized: *Provided further*, That the District of Columbia gov-
ernment shall maintain a dedicated account for the Resi-
dent Tuition Support Program that shall consist of the
Federal funds appropriated to the Program in this Act
and any subsequent appropriations, any unobligated bal-
ances from prior fiscal years, and any interest earned in
this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$25,000,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
2 COURTS

3 For salaries and expenses for the District of Colum-
4 bia Courts, \$273,508,000 to be allocated as follows: for
5 the District of Columbia Court of Appeals, \$14,366,000,
6 of which not to exceed \$2,500 is for official reception and
7 representation expenses; for the Superior Court of the
8 District of Columbia, \$133,829,000, of which not to ex-
9 ceed \$2,500 is for official reception and representation ex-
10 penses; for the District of Columbia Court System,
11 \$83,443,000, of which not to exceed \$2,500 is for official
12 reception and representation expenses; and \$41,870,000,
13 to remain available until September 30, 2023, for capital
14 improvements for District of Columbia courthouse facili-
15 ties: *Provided*, That funds made available for capital im-
16 provements shall be expended consistent with the District
17 of Columbia Courts master plan study and facilities condi-
18 tion assessment: *Provided further*, That, in addition to the
19 amounts appropriated herein, fees received by the District
20 of Columbia Courts for administering bar examinations
21 and processing District of Columbia bar admissions may
22 be retained and credited to this appropriation, to remain
23 available until expended, for salaries and expenses associ-
24 ated with such activities, notwithstanding section 450 of
25 the District of Columbia Home Rule Act (D.C. Official

1 Code, sec. 1–204.50): *Provided further*, That notwith-
2 standing any other provision of law, all amounts under
3 this heading shall be apportioned quarterly by the Office
4 of Management and Budget and obligated and expended
5 in the same manner as funds appropriated for salaries and
6 expenses of other Federal agencies: *Provided further*, That
7 30 days after providing written notice to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate, the District of Columbia Courts may reallocate
10 not more than \$9,000,000 of the funds provided under
11 this heading among the items and entities funded under
12 this heading: *Provided further*, That the Joint Committee
13 on Judicial Administration in the District of Columbia
14 may, by regulation, establish a program substantially simi-
15 lar to the program set forth in subchapter II of chapter
16 35 of title 5, United States Code, for employees of the
17 District of Columbia Courts.

18 FEDERAL PAYMENT FOR DEFENDER SERVICES IN

19 DISTRICT OF COLUMBIA COURTS

20 For payments authorized under section 11–2604 and
21 section 11–2605, D.C. Official Code (relating to represen-
22 tation provided under the District of Columbia Criminal
23 Justice Act), payments for counsel appointed in pro-
24 ceedings in the Family Court of the Superior Court of the
25 District of Columbia under chapter 23 of title 16, D.C.

1 Official Code, or pursuant to contractual agreements to
2 provide guardian ad litem representation, training, tech-
3 nical assistance, and such other services as are necessary
4 to improve the quality of guardian ad litem representation,
5 payments for counsel appointed in adoption proceedings
6 under chapter 3 of title 16, D.C. Official Code, and pay-
7 ments authorized under section 21–2060, D.C. Official
8 Code (relating to services provided under the District of
9 Columbia Guardianship, Protective Proceedings, and Du-
10 rable Power of Attorney Act of 1986), \$46,005,000, to
11 remain available until expended: *Provided*, That funds
12 provided under this heading shall be administered by the
13 Joint Committee on Judicial Administration in the Dis-
14 trict of Columbia: *Provided further*, That, notwithstanding
15 any other provision of law, this appropriation shall be ap-
16 portioned quarterly by the Office of Management and
17 Budget and obligated and expended in the same manner
18 as funds appropriated for expenses of other Federal agen-
19 cies.

20 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
21 FENDER SUPERVISION AGENCY FOR THE DISTRICT
22 OF COLUMBIA

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the Court Services and Offender
25 Supervision Agency for the District of Columbia, as au-

1 thorized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997, \$283,425,000, of
3 which not to exceed \$2,000 is for official reception and
4 representation expenses related to Community Supervision
5 and Pretrial Services Agency programs, and of which not
6 to exceed \$25,000 is for dues and assessments relating
7 to the implementation of the Court Services and Offender
8 Supervision Agency Interstate Supervision Act of 2002:
9 *Provided*, That, of the funds appropriated under this head-
10 ing, \$206,006,000 shall be for necessary expenses of Com-
11 munity Supervision and Sex Offender Registration, to in-
12 clude expenses relating to the supervision of adults subject
13 to protection orders or the provision of services for or re-
14 lated to such persons, of which \$14,747,000 shall remain
15 available until September 30, 2024, for costs associated
16 with the relocation under replacement leases for head-
17 quarters offices, field offices and related facilities: *Pro-*
18 *vided further*, That, of the funds appropriated under this
19 heading, \$77,419,000 shall be available to the Pretrial
20 Services Agency, of which \$7,304,000 shall remain avail-
21 able until September 30, 2023, for costs associated with
22 relocation under a replacement lease for headquarters of-
23 fices, field offices, and related facilities: *Provided further*,
24 That notwithstanding any other provision of law, all
25 amounts under this heading shall be apportioned quarterly

1 by the Office of Management and Budget and obligated
2 and expended in the same manner as funds appropriated
3 for salaries and expenses of other Federal agencies: *Pro-*
4 *vided further*, That amounts under this heading may be
5 used for programmatic incentives for defendants to suc-
6 cessfully complete their terms of supervision.

7 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

8 PUBLIC DEFENDER SERVICE

9 For salaries and expenses, including the transfer and
10 hire of motor vehicles, of the District of Columbia Public
11 Defender Service, as authorized by the National Capital
12 Revitalization and Self-Government Improvement Act of
13 1997, \$57,676,000, of which \$8,107,000 shall remain
14 available until September 30, 2024, for salaries and ex-
15 penses associated with providing representation pursuant
16 to title III of the Comprehensive Youth Justice Amend-
17 ment Act of 2016 (D.C. Law 21–238; D.C. Official Code,
18 sec. 24–403.03), as amended by title VI of the Omnibus
19 Public Safety and Justice Amendment Act of 2020 (D.C.
20 Law 23–274): *Provided*, That notwithstanding any other
21 provision of law, all amounts under this heading shall be
22 apportioned quarterly by the Office of Management and
23 Budget and obligated and expended in the same manner
24 as funds appropriated for salaries and expenses of Federal
25 agencies: *Provided further*, That the District of Columbia

1 Public Defender Service may establish for employees of
2 the District of Columbia Public Defender Service a pro-
3 gram substantially similar to the program set forth in sub-
4 chapter II of chapter 35 of title 5, United States Code,
5 except that the maximum amount of the payment made
6 under the program to any individual may not exceed the
7 amount referred to in section 3523(b)(3)(B) of title 5,
8 United States Code: *Provided further*, That the District
9 of Columbia Public Defender Service may be deemed an
10 “agency” for purposes of engaging with and receiving
11 services from Federal Franchise Fund Programs estab-
12 lished in accordance with section 403 of the Government
13 Management Reform Act of 1994 (Public Law 103–356),
14 as amended: *Provided further*, That the District of Colum-
15 bia Public Defender Service may enter into contracts for
16 the procurement of severable services and multiyear con-
17 tracts for the acquisition of property and services to the
18 same extent and under the same conditions as an executive
19 agency under sections 3902 and 3903 of title 41, United
20 States Code.

21 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

22 COORDINATING COUNCIL

23 For a Federal payment to the Criminal Justice Co-
24 ordinating Council, \$2,150,000, to remain available until
25 expended, to support initiatives related to the coordination

1 of Federal and local criminal justice resources in the Dis-
2 trict of Columbia.

3 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

4 For a Federal payment, to remain available until
5 September 30, 2023, to the Commission on Judicial Dis-
6 abilities and Tenure, \$330,000, and for the Judicial Nomi-
7 nation Commission, \$300,000.

8 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

9 For a Federal payment for a school improvement pro-
10 gram in the District of Columbia, \$52,500,000, to remain
11 available until expended, for payments authorized under
12 the Scholarships for Opportunity and Results Act (division
13 C of Public Law 112–10): *Provided*, That, to the extent
14 that funds are available for opportunity scholarships and
15 following the priorities included in section 3006 of such
16 Act, the Secretary of Education shall make scholarships
17 available to students eligible under section 3013(3) of such
18 Act (Public Law 112–10; 125 Stat. 211) including stu-
19 dents who were not offered a scholarship during any pre-
20 vious school year: *Provided further*, That within funds pro-
21 vided for opportunity scholarships up to \$1,200,000 shall
22 be for the activities specified in sections 3007(b) through
23 3007(d) of the Act and up to \$500,000 shall be for the
24 activities specified in section 3009 of the Act: *Provided*
25 *further*, That none of the funds made available under this

1 heading may be used for an opportunity scholarship for
2 a student to attend a school which does not certify to the
3 Secretary of Education that the student will be provided
4 with the same protections under the Federal laws which
5 are enforced by the Office for Civil Rights of the Depart-
6 ment of Education which are provided to a student of a
7 public elementary or secondary school in the District of
8 Columbia and which does not certify to the Secretary of
9 Education that the student and the student's parents will
10 be provided with the same services, rights, and protections
11 under the Individuals With Disabilities Education Act (20
12 U.S.C. 1400 et seq.) which are provided to a student and
13 a student's parents of a public elementary or secondary
14 school in the District of Columbia, as enumerated in Table
15 2 of Government Accountability Office Report 18-94 (en-
16 titled "Federal Actions Needed to Ensure Parents Are
17 Notified About Changes in Rights for Students with Dis-
18 abilities"), issued November 2017.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia
22 National Guard, \$600,000, to remain available until ex-
23 pended for the Major General David F. Wherley, Jr. Dis-
24 trict of Columbia National Guard Retention and College
25 Access Program.

1 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
2 HIV/AIDS

3 For a Federal payment to the District of Columbia
4 for the testing of individuals for, and the treatment of in-
5 dividuals with, human immunodeficiency virus and ac-
6 quired immunodeficiency syndrome in the District of Co-
7 lumbia, \$5,000,000.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 WATER AND SEWER AUTHORITY

10 For a Federal payment to the District of Columbia
11 Water and Sewer Authority, \$8,000,000, to remain avail-
12 able until expended, to continue implementation of the
13 Combined Sewer Overflow Long-Term Plan: *Provided,*
14 That the District of Columbia Water and Sewer Authority
15 provides a 100 percent match for this payment.

16 This title may be cited as the “District of Columbia
17 Appropriations Act, 2022”.

18 TITLE V

19 INDEPENDENT AGENCIES

20 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
21 SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., \$3,400,000, to remain available until September

1 30, 2023, of which not to exceed \$1,000 is for official re-
2 ception and representation expenses.

3 CONSUMER PRODUCT SAFETY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Consumer Product
6 Safety Commission, including hire of passenger motor ve-
7 hicles, services as authorized by 5 U.S.C. 3109, but at
8 rates for individuals not to exceed the per diem rate equiv-
9 alent to the maximum rate payable under 5 U.S.C. 5376,
10 purchase of nominal awards to recognize non-Federal offi-
11 cials' contributions to Commission activities, and not to
12 exceed \$4,000 for official reception and representation ex-
13 penses, \$172,000,000, of which \$2,000,000 shall remain
14 available until expended to carry out the program, includ-
15 ing administrative costs, required by section 1405 of the
16 Virginia Graeme Baker Pool and Spa Safety Act (Public
17 Law 110–140; 15 U.S.C. 8004).

18 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

19 SAFETY COMMISSION

20 SEC. 501. During fiscal year 2022, none of the
21 amounts made available by this Act may be used to final-
22 ize or implement the Safety Standard for Recreational
23 Off-Highway Vehicles published by the Consumer Product
24 Safety Commission in the Federal Register on November
25 19, 2014 (79 Fed. Reg. 68964) until after—

1 (1) the National Academy of Sciences, in con-
2 sultation with the National Highway Traffic Safety
3 Administration and the Department of Defense,
4 completes a study to determine—

5 (A) the technical validity of the lateral sta-
6 bility and vehicle handling requirements pro-
7 posed by such standard for purposes of reduc-
8 ing the risk of Recreational Off-Highway Vehi-
9 cle (referred to in this section as “ROV”) roll-
10 overs in the off-road environment, including the
11 repeatability and reproducibility of testing for
12 compliance with such requirements;

13 (B) the number of ROV rollovers that
14 would be prevented if the proposed require-
15 ments were adopted;

16 (C) whether there is a technical basis for
17 the proposal to provide information on a point-
18 of-sale hangtag about a ROV’s rollover resist-
19 ance on a progressive scale; and

20 (D) the effect on the utility of ROVs used
21 by the United States military if the proposed
22 requirements were adopted; and

23 (2) a report containing the results of the study
24 completed under paragraph (1) is delivered to—

1 (A) the Committee on Commerce, Science,
2 and Transportation of the Senate;

3 (B) the Committee on Energy and Com-
4 merce of the House of Representatives;

5 (C) the Committee on Appropriations of
6 the Senate; and

7 (D) the Committee on Appropriations of
8 the House of Representatives.

9 ELECTION ASSISTANCE COMMISSION

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the Help Amer-
13 ica Vote Act of 2002 (Public Law 107–252), \$22,834,000,
14 of which \$1,500,000 shall be transferred to the National
15 Institute of Standards and Technology for election reform
16 activities authorized under the Help America Vote Act of
17 2002.

18 ELECTION SECURITY GRANTS

19 Notwithstanding section 104(c)(2)(B) of the Help
20 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),
21 \$500,000,000 is provided to the Election Assistance Com-
22 mission for necessary expenses to make payments to
23 States for activities to improve the administration of elec-
24 tions for Federal office, including to enhance election tech-
25 nology and make election security improvements, as au-

1 thorized by sections 101, 103, and 104 of such Act: *Pro-*
2 *vided*, That for purposes of applying such sections, the
3 Commonwealth of the Northern Mariana Islands shall be
4 deemed to be a State and, for purposes of sections
5 101(d)(2) and 103(a), shall be treated in the same manner
6 as the Commonwealth of Puerto Rico, Guam, American
7 Samoa, and the United States Virgin Islands: *Provided*
8 *further*, That each reference to the “Administrator of Gen-
9 eral Services” or the “Administrator” in sections 101 and
10 103 shall be deemed to refer to the “Election Assistance
11 Commission”: *Provided further*, That each reference to
12 “\$5,000,000” in section 103 shall be deemed to refer to
13 “\$3,000,000” and each reference to “\$1,000,000” in sec-
14 tion 103 shall be deemed to refer to “\$600,000”: *Provided*
15 *further*, That not later than 45 days after the date of en-
16 actment of this Act, the Election Assistance Commission
17 shall make the payments to States under this heading:
18 *Provided further*, That a State shall use such payment to
19 replace voting systems which use direct-recording elec-
20 tronic voting machines with a voting system which uses
21 an individual, durable, voter-verified paper ballot which is
22 marked by the voter by hand or through the use of a non-
23 tabulating ballot-marking device or system, so long as the
24 voter shall have the option to mark his or her ballot by
25 hand, and provides the voter with an opportunity to in-

1 spect and confirm the marked ballot before casting (in this
2 heading referred to as a “qualified voting system”): *Pro-*
3 *vided further*, That for purposes of determining whether
4 a voting system is a qualified voting system, a voter-
5 verified paper audit trail receipt generated by a direct-re-
6 cording electronic voting machine is not a paper ballot:
7 *Provided further*, That none of the funds made available
8 under this heading may be used to purchase or obtain any
9 voting system which is not a qualified voting system: *Pro-*
10 *vided further*, That a State may use such payment to carry
11 out other authorized activities to improve the administra-
12 tion of elections for Federal office only if the State cer-
13 tifies to the Election Assistance Commission that the
14 State has replaced all voting systems which use direct-re-
15 cording electronic voting machines with qualified voting
16 systems: *Provided further*, That not less than 50 percent
17 of the amount of the payment made to a State under this
18 heading shall be allocated in cash or in kind to the units
19 of local government which are responsible for the adminis-
20 tration of elections for Federal office in the State: *Pro-*
21 *vided further*, That States shall submit semi-annual finan-
22 cial reports and annual progress reports.

1 FEDERAL COMMUNICATIONS COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-
4 tions Commission, as authorized by law, including uni-
5 forms and allowances therefor, as authorized by 5 U.S.C.
6 5901–5902; not to exceed \$4,000 for official reception and
7 representation expenses; purchase and hire of motor vehi-
8 cles; special counsel fees; and services as authorized by
9 5 U.S.C. 3109, \$387,950,000, to remain available until
10 expended: *Provided*, That \$387,950,000 of offsetting col-
11 lections shall be assessed and collected pursuant to section
12 9 of title I of the Communications Act of 1934, shall be
13 retained and used for necessary expenses, and shall re-
14 main available until expended: *Provided further*, That the
15 sum herein appropriated shall be reduced as such offset-
16 ting collections are received during fiscal year 2022 so as
17 to result in a final fiscal year 2022 appropriation esti-
18 mated at \$0: *Provided further*, That, notwithstanding 47
19 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-
20 tive bidding system that may be retained and made avail-
21 able for obligation shall not exceed \$128,621,000 for fiscal
22 year 2022: *Provided further*, That, of the amount appro-
23 priated under this heading, not less than \$11,854,000
24 shall be for the salaries and expenses of the Office of In-
25 spector General.

1 ADMINISTRATIVE PROVISIONS—FEDERAL
2 COMMUNICATIONS COMMISSION

3 SEC. 510. Section 302 of the Universal Service
4 Antideficiency Temporary Suspension Act is amended by
5 striking “December 31, 2021” each place it appears and
6 inserting “December 31, 2022”.

7 SEC. 511. None of the funds appropriated by this Act
8 may be used by the Federal Communications Commission
9 to modify, amend, or change its rules or regulations for
10 universal service support payments to implement the Feb-
11 ruary 27, 2004, recommendations of the Federal-State
12 Joint Board on Universal Service regarding single connec-
13 tion or primary line restrictions on universal service sup-
14 port payments.

15 SEC. 512. None of the funds appropriated by this Act
16 may be used by the Federal Communications Commission
17 to modify, amend, or change the rules or regulations of
18 the Commission for universal service high-cost support for
19 competitive eligible telecommunications carriers in a way
20 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
21 tion 54.307 of title 47, Code of Federal Regulations, as
22 in effect on July 15, 2015: *Provided*, That this section
23 shall not prohibit the Commission from considering, devel-
24 oping, or adopting other support mechanisms as an alter-
25 native to Mobility Fund Phase II.

1 FEDERAL DEPOSIT INSURANCE CORPORATION

2 OFFICE OF THE INSPECTOR GENERAL

3 For necessary expenses of the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, \$46,500,000, to be derived from the
6 Deposit Insurance Fund or, only when appropriate, the
7 FSLIC Resolution Fund.

8 FEDERAL ELECTION COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses to carry out the provisions
11 of the Federal Election Campaign Act of 1971,
12 \$76,500,000, of which not to exceed \$5,000 shall be avail-
13 able for reception and representation expenses: *Provided*,
14 That not less than \$1,962,000 shall be for the salaries
15 and expenses of the Office of the Inspector General.

16 FEDERAL LABOR RELATIONS AUTHORITY

17 SALARIES AND EXPENSES

18 For necessary expenses to carry out functions of the
19 Federal Labor Relations Authority, pursuant to Reorga-
20 nization Plan Numbered 2 of 1978, and the Civil Service
21 Reform Act of 1978, including services authorized by 5
22 U.S.C. 3109, and including hire of experts and consult-
23 ants, hire of passenger motor vehicles, and including offi-
24 cial reception and representation expenses (not to exceed
25 \$1,500) and rental of conference rooms in the District of

1 Columbia and elsewhere, \$29,247,000: *Provided*, That
2 public members of the Federal Service Impasses Panel
3 may be paid travel expenses and per diem in lieu of sub-
4 sistence as authorized by law (5 U.S.C. 5703) for persons
5 employed intermittently in the Government service, and
6 compensation as authorized by 5 U.S.C. 3109: *Provided*
7 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
8 ceived from fees charged to non-Federal participants at
9 labor-management relations conferences shall be credited
10 to and merged with this account, to be available without
11 further appropriation for the costs of carrying out these
12 conferences.

13 FEDERAL PERMITTING IMPROVEMENT STEERING
14 COUNCIL

15 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

16 For necessary expenses of the Environmental Review
17 Improvement Fund established pursuant to 42 U.S.C.
18 4370m-8(d), \$10,000,000, to remain available until ex-
19 pended.

20 FEDERAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Trade Com-
23 mission, including uniforms or allowances therefor, as au-
24 thorized by 5 U.S.C. 5901-5902; services as authorized
25 by 5 U.S.C. 3109; hire of passenger motor vehicles; and

1 not to exceed \$2,000 for official reception and representa-
2 tion expenses, \$389,800,000, to remain available until ex-
3 pended: *Provided*, That not to exceed \$300,000 shall be
4 available for use to contract with a person or persons for
5 collection services in accordance with the terms of 31
6 U.S.C. 3718: *Provided further*, That, notwithstanding any
7 other provision of law, not to exceed \$138,000,000 of off-
8 setting collections derived from fees collected for
9 premerger notification filings under the Hart-Scott-Ro-
10 dino Antitrust Improvements Act of 1976 (15 U.S.C.
11 18a), regardless of the year of collection, shall be retained
12 and used for necessary expenses in this appropriation:
13 *Provided further*, That, notwithstanding any other provi-
14 sion of law, not to exceed \$20,000,000 in offsetting collec-
15 tions derived from fees sufficient to implement and enforce
16 the Telemarketing Sales Rule, promulgated under the
17 Telemarketing and Consumer Fraud and Abuse Preven-
18 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
19 account, and be retained and used for necessary expenses
20 in this appropriation: *Provided further*, That the sum here-
21 in appropriated from the general fund shall be reduced
22 as such offsetting collections are received during fiscal
23 year 2022, so as to result in a final fiscal year 2022 appro-
24 priation from the general fund estimated at not more than
25 \$231,800,000: *Provided further*, That none of the funds

1 made available to the Federal Trade Commission may be
2 used to implement subsection (e)(2)(B) of section 43 of
3 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

4 GENERAL SERVICES ADMINISTRATION

5 REAL PROPERTY ACTIVITIES

6 FEDERAL BUILDINGS FUND

7 LIMITATIONS ON AVAILABILITY OF REVENUE

8 (INCLUDING TRANSFERS OF FUNDS)

9 Amounts in the Fund, including revenues and collec-
10 tions deposited into the Fund, shall be available for nec-
11 essary expenses of real property management and related
12 activities not otherwise provided for, including operation,
13 maintenance, and protection of Federally owned and
14 leased buildings; rental of buildings in the District of Co-
15 lumbia; restoration of leased premises; moving govern-
16 mental agencies (including space adjustments and tele-
17 communications relocation expenses) in connection with
18 the assignment, allocation, and transfer of space; contrac-
19 tual services incident to cleaning or servicing buildings,
20 and moving; repair and alteration of Federally owned
21 buildings, including grounds, approaches, and appur-
22 tenances; care and safeguarding of sites; maintenance,
23 preservation, demolition, and equipment; acquisition of
24 buildings and sites by purchase, condemnation, or as oth-
25 erwise authorized by law; acquisition of options to pur-

1 chase buildings and sites; conversion and extension of
2 Federally owned buildings; preliminary planning and de-
3 sign of projects by contract or otherwise; construction of
4 new buildings (including equipment for such buildings);
5 and payment of principal, interest, and any other obliga-
6 tions for public buildings acquired by installment purchase
7 and purchase contract; in the aggregate amount of
8 \$10,405,316,000, of which—

9 (1) \$616,702,000 shall remain available until
10 expended for construction and acquisition (including
11 funds for sites and expenses, and associated design
12 and construction services) as follows:

13 (A) \$103,376,000 shall be for Calexico
14 West Land Port of Entry Phase IIB, Calexico,
15 California;

16 (B) \$253,797,000 shall be for the Depart-
17 ment of Homeland Security Consolidation at St.
18 Elizabeths, Washington, DC;

19 (C) \$9,000,000 shall be for the Southeast
20 Federal Center Remediation, Washington, DC;

21 (D) \$28,553,000 shall be for the Former
22 Hardesty Federal Complex Remediation, Wash-
23 ington, DC; and

24 (E) \$221,976,000 shall be for new con-
25 struction projects of the Federal Judiciary as

1 prioritized in the “Federal Judiciary Court-
2 house Project Priorities” plan approved by the
3 Judicial Conference of the United States in
4 September 2020:

5 *Provided*, That each of the foregoing limits of costs
6 on new construction and acquisition projects may be
7 exceeded to the extent that savings are effected in
8 other such projects, but not to exceed 10 percent of
9 the amounts included in a transmitted prospectus, if
10 required, unless advance approval is obtained from
11 the Committees on Appropriations of the House of
12 Representatives and the Senate of a greater amount;

13 (2) \$1,037,585,000 shall remain available until
14 expended for repairs and alterations, including asso-
15 ciated design and construction services, of which—

16 (A) \$432,625,000 is for Major Repairs and
17 Alterations;

18 (B) \$384,960,000 is for Basic Repairs and
19 Alterations; and

20 (C) \$220,000,000 is for the Special Em-
21 phasis Programs:

22 *Provided*, That funds made available in this or any
23 previous Act in the Federal Buildings Fund for Re-
24 pairs and Alterations shall, for prospectus projects,
25 be limited to the amount identified for each project,

1 except each project in this or any previous Act may
2 be increased by an amount not to exceed 10 percent
3 unless advance approval is obtained from the Com-
4 mittees on Appropriations of the House of Rep-
5 resentatives and the Senate of a greater amount:
6 *Provided further*, That additional projects for which
7 prospectuses have been fully approved may be fund-
8 ed under this category only if advance approval is
9 obtained from the Committees on Appropriations of
10 the House of Representatives and the Senate: *Pro-*
11 *vided further*, That the amounts provided in this or
12 any prior Act for “Repairs and Alterations” may be
13 used to fund costs associated with implementing se-
14 curity improvements to buildings necessary to meet
15 the minimum standards for security in accordance
16 with current law and in compliance with the re-
17 programming guidelines of the appropriate commit-
18 tees of the House and Senate: *Provided further*,
19 That the difference between the funds appropriated
20 and expended on any projects in this or any prior
21 Act, under the heading “Repairs and Alterations”,
22 may be transferred to “Basic Repairs and Alter-
23 ations” or used to fund authorized increases in pro-
24 spectus projects: *Provided further*, That the amount
25 provided in this or any prior Act for “Basic Repairs

1 and Alterations” may be used to pay claims against
2 the Government arising from any projects under the
3 heading “Repairs and Alterations” or used to fund
4 authorized increases in prospectus projects;

5 (3) \$5,906,024,000 for rental of space to re-
6 main available until expended; and

7 (4) \$2,845,005,000 for building operations to
8 remain available until expended: *Provided*, That the
9 total amount of funds made available from this
10 Fund to the General Services Administration shall
11 not be available for expenses of any construction, re-
12 pair, alteration and acquisition project for which a
13 prospectus, if required by 40 U.S.C. 3307(a), has
14 not been approved, except that necessary funds may
15 be expended for each project for required expenses
16 for the development of a proposed prospectus: *Pro-*
17 *vided further*, That funds available in the Federal
18 Buildings Fund may be expended for emergency re-
19 pairs when advance approval is obtained from the
20 Committees on Appropriations of the House of Rep-
21 resentatives and the Senate: *Provided further*, That
22 amounts necessary to provide reimbursable special
23 services to other agencies under 40 U.S.C. 592(b)(2)
24 and amounts to provide such reimbursable fencing,
25 lighting, guard booths, and other facilities on private

1 or other property not in Government ownership or
2 control as may be appropriate to enable the United
3 States Secret Service to perform its protective func-
4 tions pursuant to 18 U.S.C. 3056, shall be available
5 from such revenues and collections: *Provided further*,
6 That revenues and collections and any other sums
7 accruing to this Fund during fiscal year 2022, ex-
8 cluding reimbursements under 40 U.S.C. 592(b)(2),
9 in excess of the aggregate new obligational authority
10 authorized for Real Property Activities of the Fed-
11 eral Buildings Fund in this Act shall remain in the
12 Fund and shall not be available for expenditure ex-
13 cept as authorized in appropriations Acts.

14 GENERAL ACTIVITIES

15 GOVERNMENT-WIDE POLICY

16 For expenses authorized by law, not otherwise pro-
17 vided for, for Government-wide policy and evaluation ac-
18 tivities associated with the management of real and per-
19 sonal property assets and certain administrative services;
20 Government-wide policy support responsibilities relating to
21 acquisition, travel, motor vehicles, information technology
22 management, and related technology activities; and serv-
23 ices as authorized by 5 U.S.C. 3109; \$71,820,000.

1 OPERATING EXPENSES

2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide activities associated with
4 utilization and donation of surplus personal property; dis-
5 posal of real property; agency-wide policy direction, and
6 management; and services as authorized by 5 U.S.C.
7 3109; \$52,440,000, of which not to exceed \$7,500 is for
8 official reception and representation expenses.

9 CIVILIAN BOARD OF CONTRACT APPEALS

10 For expenses authorized by law, not otherwise pro-
11 vided for, for the activities associated with the Civilian
12 Board of Contract Appeals, \$10,080,000, of which
13 \$2,000,000 shall remain available until September 30,
14 2023.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General and service authorized by 5 U.S.C. 3109,
18 \$69,000,000: *Provided*, That not to exceed \$50,000 shall
19 be available for payment for information and detection of
20 fraud against the Government, including payment for re-
21 covery of stolen Government property: *Provided further*,
22 That not to exceed \$2,500 shall be available for awards
23 to employees of other Federal agencies and private citizens
24 in recognition of efforts and initiatives resulting in en-
25 hanced Office of Inspector General effectiveness.

1 That appropriations, revenues, reimbursements, and col-
2 lections accruing to this Fund during fiscal year 2022 in
3 excess of such amount shall remain in the Fund and shall
4 not be available for expenditure except as authorized in
5 appropriations Acts: *Provided further*, That, of the total
6 amount appropriated, up to \$5,000,000 shall be available
7 for support functions and full-time hires to support activi-
8 ties related to the Administration's requirements under
9 title II of the Foundations for Evidence-Based Policy-
10 making Act (Public Law 115–435): *Provided further*, That
11 the transfer authorities provided herein shall be in addi-
12 tion to any other transfer authority provided in this Act.

13 TECHNOLOGY MODERNIZATION FUND

14 For the Technology Modernization Fund,
15 \$50,000,000, to remain available until expended, for tech-
16 nology-related modernization activities.

17 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

18 For carrying out section 16(b)(2) of the Federal As-
19 sets Sale and Transfer Act of 2016 (Public Law 114–
20 287), \$4,000,000, to remain available until expended.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Working Capital Fund of the General Serv-
24 ices Administration, \$28,500,000, to remain available
25 until expended, of which \$8,500,000 is available for nec-

1 essary costs incurred by the Administrator to modernize
2 rulemaking systems and to provide support services for
3 Federal rulemaking agencies, and of which \$20,000,000
4 is available for work related to human resources informa-
5 tion technology modernization, including costs associated
6 with facilitating the development and finalization of
7 human capital data standards: *Provided*, That such funds
8 for human resources information technology moderniza-
9 tion may be transferred and credited to other appropria-
10 tions, including those of the Office of Personnel Manage-
11 ment, in amounts necessary to cover or reimburse costs
12 incurred for the purposes provided herein: *Provided fur-*
13 *ther*, That amounts made available under this heading
14 shall be in addition to any other amounts available for
15 such purposes.

16 ELECTRIC VEHICLES FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For the procurement of zero emission and electric
19 passenger motor vehicles and the associated charging in-
20 frastructure, notwithstanding section 303(c) of the En-
21 ergy Policy Act of 1992 (42 U.S.C. 13212(c)),
22 \$300,000,000, to remain available until expended: *Pro-*
23 *vided*, That amounts made available under this heading
24 shall be in addition to any other amounts available for
25 such purposes: *Provided further*, That amounts available

1 under this heading may be transferred to and merged with
2 appropriations at other Federal agencies, at the discretion
3 of the Administrator, for carrying out the purposes under
4 this heading, including for the procurement of charging
5 infrastructure for the United States Postal Service.

6 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

7 ADMINISTRATION

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 520. Funds available to the General Services
10 Administration shall be available for the hire of passenger
11 motor vehicles.

12 SEC. 521. Funds in the Federal Buildings Fund
13 made available for fiscal year 2022 for Federal Buildings
14 Fund activities may be transferred between such activities
15 only to the extent necessary to meet program require-
16 ments: *Provided*, That any proposed transfers shall be ap-
17 proved in advance by the Committees on Appropriations
18 of the House of Representatives and the Senate.

19 SEC. 522. Except as otherwise provided in this title,
20 funds made available by this Act shall be used to transmit
21 a fiscal year 2023 request for United States Courthouse
22 construction only if the request: (1) meets the design guide
23 standards for construction as established and approved by
24 the General Services Administration, the Judicial Con-
25 ference of the United States, and the Office of Manage-

1 ment and Budget; (2) reflects the priorities of the Judicial
2 Conference of the United States as set out in its approved
3 Courthouse Project Priorities plan; and (3) includes a
4 standardized courtroom utilization study of each facility
5 to be constructed, replaced, or expanded.

6 SEC. 523. None of the funds provided in this Act may
7 be used to increase the amount of occupiable square feet,
8 provide cleaning services, security enhancements, or any
9 other service usually provided through the Federal Build-
10 ings Fund, to any agency that does not pay the rate per
11 square foot assessment for space and services as deter-
12 mined by the General Services Administration in consider-
13 ation of the Public Buildings Amendments Act of 1972
14 (Public Law 92–313).

15 SEC. 524. From funds made available under the
16 heading “Federal Buildings Fund, Limitations on Avail-
17 ability of Revenue”, claims against the Government of less
18 than \$250,000 arising from direct construction projects
19 and acquisition of buildings may be liquidated from sav-
20 ings effected in other construction projects with prior noti-
21 fication to the Committees on Appropriations of the House
22 of Representatives and the Senate.

23 SEC. 525. In any case in which the Committee on
24 Transportation and Infrastructure of the House of Rep-
25 resentatives and the Committee on Environment and Pub-

1 lie Works of the Senate adopt a resolution granting lease
2 authority pursuant to a prospectus transmitted to Con-
3 gress by the Administrator of the General Services Admin-
4 istration under 40 U.S.C. 3307, the Administrator shall
5 ensure that the delineated area of procurement is identical
6 to the delineated area included in the prospectus for all
7 lease agreements, except that, if the Administrator deter-
8 mines that the delineated area of the procurement should
9 not be identical to the delineated area included in the pro-
10 spectus, the Administrator shall provide an explanatory
11 statement to each of such committees and the Committees
12 on Appropriations of the House of Representatives and the
13 Senate prior to exercising any lease authority provided in
14 the resolution.

15 SEC. 526. With respect to each project funded under
16 the heading “Major Repairs and Alterations”, and with
17 respect to E–Government projects funded under the head-
18 ing “Federal Citizen Services Fund”, the Administrator
19 of General Services shall submit a spending plan and ex-
20 planation for each project to be undertaken to the Com-
21 mittees on Appropriations of the House of Representatives
22 and the Senate not later than 60 days after the date of
23 enactment of this Act.

24 SEC. 527. Section 3173(d)(1) of title 40, United
25 States Code, is amended by inserting before the period the

1 following: “or for agency-wide acquisition of equipment or
2 systems or the acquisition of services in lieu thereof, as
3 necessary to implement the Act”.

4 SEC. 528. (a) Not later than 180 days after the date
5 of enactment of this Act, the Administrator of the General
6 Services Administration shall transmit to the Committees
7 on Appropriations of the House of Representatives and the
8 Senate, the Committee on Transportation and Infrastruc-
9 ture of the House of Representatives, and the Committee
10 on Environment and Public Works of the Senate, a report
11 on the construction of a new headquarters for the Federal
12 Bureau of Investigation in the National Capital Region.

13 (b) The report transmitted under subsection (a) shall
14 be consistent with the requirements of section 3307(b) of
15 title 40, United States Code, and include a summary of
16 the material provisions of the construction and full con-
17 solidation of the Federal Bureau of Investigation in a new
18 headquarters facility, including all the costs associated
19 with site acquisition, design, management, and inspection,
20 and a description of all buildings and infrastructure need-
21 ed to complete the project.

22 SEC. 529. None of the funds made available in this
23 Act may be used by the General Services Administration
24 to award or facilitate the award of any contract for the
25 provision of architectural, engineering, and related serv-

1 ices in a manner inconsistent with the procedures in the
2 Brooks Act (40 U.S.C. 1101 et. seq.) and part 36.6 of
3 the Federal Acquisition Regulation.

4 SEC. 530. None of the funds made available in this
5 Act may be used to implement or otherwise carry out di-
6 rectives contained in any Executive order that would es-
7 tablish a preferred architectural style for Federal build-
8 ings and courthouses or that would otherwise conflict with
9 the Guiding Principles of Federal Architecture as estab-
10 lished by the Ad Hoc Committee on Federal Space on
11 June 1, 1962.

12 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

13 SALARIES AND EXPENSES

14 For payment to the Harry S Truman Scholarship
15 Foundation Trust Fund, established by section 10 of Pub-
16 lic Law 93–642, \$2,400,000, to remain available until ex-
17 pended.

18 MERIT SYSTEMS PROTECTION BOARD

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out functions of the
22 Merit Systems Protection Board pursuant to Reorganiza-
23 tion Plan Numbered 2 of 1978, the Civil Service Reform
24 Act of 1978, and the Whistleblower Protection Act of
25 1989 (5 U.S.C. 5509 note), including services as author-

1 ized by 5 U.S.C. 3109, rental of conference rooms in the
2 District of Columbia and elsewhere, hire of passenger
3 motor vehicles, direct procurement of survey printing, and
4 not to exceed \$2,000 for official reception and representa-
5 tion expenses, \$46,027,000, to remain available until Sep-
6 tember 30, 2023, and in addition not to exceed
7 \$2,345,000, to remain available until September 30, 2023,
8 for administrative expenses to adjudicate retirement ap-
9 peals to be transferred from the Civil Service Retirement
10 and Disability Fund in amounts determined by the Merit
11 Systems Protection Board.

12 MORRIS K. UDALL AND STEWART L. UDALL
13 FOUNDATION

14 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
15 (INCLUDING TRANSFER OF FUNDS)

16 For payment to the Morris K. Udall and Stewart L.
17 Udall Trust Fund, pursuant to the Morris K. Udall and
18 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
19 seq.), \$1,800,000, to remain available until expended, of
20 which, notwithstanding sections 8 and 9 of such Act, up
21 to \$1,000,000 shall be available to carry out the activities
22 authorized by section 6(7) of Public Law 102-259 and
23 section 817(a) of Public Law 106-568 (20 U.S.C.
24 5604(7)): *Provided*, That all current and previous
25 amounts transferred to the Office of Inspector General of

1 the Department of the Interior will remain available until
2 expended for audits and investigations of the Morris K.
3 Udall and Stewart L. Udall Foundation, consistent with
4 the Inspector General Act of 1978 (5 U.S.C. App.), as
5 amended, and for annual independent financial audits of
6 the Morris K. Udall and Stewart L. Udall Foundation
7 pursuant to the Accountability of Tax Dollars Act of 2002
8 (Public Law 107–289): *Provided further*, That previous
9 amounts transferred to the Office of Inspector General of
10 the Department of the Interior may be transferred to the
11 Morris K. Udall and Stewart L. Udall Foundation for an-
12 nual independent financial audits pursuant to the Ac-
13 countability of Tax Dollars Act of 2002 (Public Law 107–
14 289).

15 ENVIRONMENTAL DISPUTE RESOLUTION FUND

16 For payment to the Environmental Dispute Resolu-
17 tion Fund to carry out activities under sections 10 and
18 11 of the Morris K. Udall and Stewart L. Udall Founda-
19 tion Act (Public Law 111–90), \$3,586,000, to remain
20 available until expended: *Provided*, That during fiscal year
21 2022 and each fiscal year thereafter, any amounts in such
22 Fund shall, pursuant to section 1557 of title 31, United
23 State Code, be exempt from the provisions of subchapter
24 IV of chapter 15 of such title.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
2 OPERATING EXPENSES

3 For necessary expenses in connection with the admin-
4 istration of the National Archives and Records Adminis-
5 tration and archived Federal records and related activities,
6 as provided by law, and for expenses necessary for the re-
7 view and declassification of documents, the activities of
8 the Public Interest Declassification Board, the operations
9 and maintenance of the electronic records archives, the
10 hire of passenger motor vehicles, and for uniforms or al-
11 lowances therefor, as authorized by law (5 U.S.C. 5901),
12 including maintenance, repairs, and cleaning,
13 \$403,677,000, of which \$29,000,000 shall remain avail-
14 able until expended for expenses necessary to enhance the
15 Federal Government's ability to electronically preserve,
16 manage, and store Government records, and of which up
17 to \$2,000,000 shall remain available until expended to im-
18 plement the Civil Rights Cold Case Records Collection Act
19 of 2018 (Public Law 115-426).

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Reform Act of 2008, Public Law 110-409, 122
24 Stat. 4302-16 (2008), and the Inspector General Act of

1 1978 (5 U.S.C. App.), and for the hire of passenger motor
2 vehicles, \$5,323,000.

3 REPAIRS AND RESTORATION

4 For the repair, alteration, and improvement of ar-
5 chives facilities, and to provide adequate storage for hold-
6 ings, \$37,500,000, to remain available until expended.

7 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

8 COMMISSION

9 GRANTS PROGRAM

10 For necessary expenses for allocations and grants for
11 historical publications and records as authorized by 44
12 U.S.C. 2504, \$9,500,000, to remain available until ex-
13 pended.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

16 For the Community Development Revolving Loan
17 Fund program as authorized by 42 U.S.C. 9812, 9822
18 and 9910, \$4,000,000 shall be available until September
19 30, 2023, for technical assistance to low-income des-
20 ignated credit unions.

21 OFFICE OF GOVERNMENT ETHICS

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Government Ethics pursuant to the Ethics in
25 Government Act of 1978, the Ethics Reform Act of 1989,

1 and the Representative Louise McIntosh Slaughter Stop
2 Trading on Congressional Knowledge Act of 2012, includ-
3 ing services as authorized by 5 U.S.C. 3109, rental of con-
4 ference rooms in the District of Columbia and elsewhere,
5 hire of passenger motor vehicles, and not to exceed \$1,500
6 for official reception and representation expenses,
7 \$20,371,000.

8 OFFICE OF PERSONNEL MANAGEMENT

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF TRUST FUNDS)

11 For necessary expenses to carry out functions of the
12 Office of Personnel Management (OPM) pursuant to Re-
13 organization Plan Numbered 2 of 1978 and the Civil Serv-
14 ice Reform Act of 1978, including services as authorized
15 by 5 U.S.C. 3109; medical examinations performed for
16 veterans by private physicians on a fee basis; rental of con-
17 ference rooms in the District of Columbia and elsewhere;
18 hire of passenger motor vehicles; not to exceed \$2,500 for
19 official reception and representation expenses; and pay-
20 ment of per diem and/or subsistence allowances to employ-
21 ees where Voting Rights Act activities require an employee
22 to remain overnight at his or her post of duty,
23 \$197,000,000: *Provided*, That of the total amount made
24 available under this heading, \$8,842,000 shall remain
25 available until expended, for information technology infra-

1 structure modernization and Trust Fund Federal Finan-
2 cial System migration or modernization, and shall be in
3 addition to funds otherwise made available for such pur-
4 poses: *Provided further*, That of the total amount made
5 available under this heading, \$1,073,201 may be made
6 available for strengthening the capacity and capabilities
7 of the acquisition workforce (as defined by the Office of
8 Federal Procurement Policy Act, as amended (41 U.S.C.
9 4001 et seq.)), including the recruitment, hiring, training,
10 and retention of such workforce and information tech-
11 nology in support of acquisition workforce effectiveness or
12 for management solutions to improve acquisition manage-
13 ment; and in addition \$175,000,000 for administrative ex-
14 penses, to be transferred from the appropriate trust funds
15 of OPM without regard to other statutes, including direct
16 procurement of printed materials, for the retirement and
17 insurance programs: *Provided further*, That the provisions
18 of this appropriation shall not affect the authority to use
19 applicable trust funds as provided by sections
20 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and
21 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
22 *ther*, That no part of this appropriation shall be available
23 for salaries and expenses of the Legal Examining Unit of
24 OPM established pursuant to Executive Order No. 9358
25 of July 1, 1943, or any successor unit of like purpose:

1 *Provided further*, That the President's Commission on
2 White House Fellows, established by Executive Order No.
3 11183 of October 3, 1964, may, during fiscal year 2022,
4 accept donations of money, property, and personal serv-
5 ices: *Provided further*, That such donations, including
6 those from prior years, may be used for the development
7 of publicity materials to provide information about the
8 White House Fellows, except that no such donations shall
9 be accepted for travel or reimbursement of travel expenses,
10 or for the salaries of employees of such Commission: *Pro-*
11 *vided further*, That not to exceed 3 percent of amounts
12 made available under this heading may be transferred to
13 an information technology working capital fund estab-
14 lished for purposes authorized by subtitle G of title X of
15 division A of the National Defense Authorization Act for
16 Fiscal Year 2018 (Public Law 115–91; 40 U. S. C. 11301
17 note) upon the advance approval of the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate: *Provided further*, That amounts transferred to such
20 a fund pursuant to the preceding proviso shall remain
21 available for obligation through September 30, 2025, and
22 shall not exceed 3 percent of any program office of the
23 Office of Personnel Management as defined in the fiscal
24 year 2022 OPM Congressional Budget Justification sub-
25 mitted to Congress.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, including services as authorized by
7 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$5,345,000, and in addition, not to exceed \$30,565,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 OFFICE OF SPECIAL COUNSEL
18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Office of Special Counsel, including services as authorized
21 by 5 U.S.C. 3109, payment of fees and expenses for wit-
22 nesses, rental of conference rooms in the District of Co-
23 lumbia and elsewhere, and hire of passenger motor vehi-
24 cles, \$31,500,000.

1 POSTAL REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Postal Regulatory
5 Commission in carrying out the provisions of the Postal
6 Accountability and Enhancement Act (Public Law 109–
7 435), \$19,585,000, to be derived by transfer from the
8 Postal Service Fund and expended as authorized by sec-
9 tion 603(a) of such Act.

10 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

11 SALARIES AND EXPENSES

12 For necessary expenses of the Privacy and Civil Lib-
13 erties Oversight Board, as authorized by section 1061 of
14 the Intelligence Reform and Terrorism Prevention Act of
15 2004 (42 U.S.C. 2000ee), \$9,600,000, to remain available
16 until September 30, 2023.

17 PUBLIC BUILDINGS REFORM BOARD

18 SALARIES AND EXPENSES

19 For salaries and expenses of the Public Buildings Re-
20 form Board in carrying out the Federal Assets Sale and
21 Transfer Act of 2016 (Public Law 114–287), \$4,500,000,
22 to remain available until expended.

1 SECURITIES AND EXCHANGE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Securities and Ex-
4 change Commission, including services as authorized by
5 5 U.S.C. 3109, the rental of space (to include multiple
6 year leases) in the District of Columbia and elsewhere, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$1,992,917,000, to remain available until
9 expended; of which not less than \$17,649,400 shall be for
10 the Office of Inspector General; of which not to exceed
11 \$75,000 shall be available for a permanent secretariat for
12 the International Organization of Securities Commissions;
13 and of which not to exceed \$100,000 shall be available
14 for expenses for consultations and meetings hosted by the
15 Commission with foreign governmental and other regu-
16 latory officials, members of their delegations and staffs to
17 exchange views concerning securities matters, such ex-
18 penses to include necessary logistic and administrative ex-
19 penses and the expenses of Commission staff and foreign
20 invitees in attendance including: (1) incidental expenses
21 such as meals; (2) travel and transportation; and (3) re-
22 lated lodging or subsistence.

23 In addition to the foregoing appropriation, for move,
24 replication, and related costs associated with a replace-
25 ment lease for the Commission's Fort Worth Regional Of-

1 fice facilities, not to exceed \$6,745,900, to remain avail-
2 able until expended.

3 For purposes of calculating the fee rate under section
4 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
5 78ee(j)) for fiscal year 2022, all amounts appropriated
6 under this heading shall be deemed to be the regular ap-
7 propriation to the Commission for fiscal year 2022: *Pro-*
8 *vided*, That fees and charges authorized by section 31 of
9 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
10 shall be credited to this account as offsetting collections:
11 *Provided further*, That not to exceed \$1,992,917,000 of
12 such offsetting collections shall be available until expended
13 for necessary expenses of this account; and not to exceed
14 \$6,745,900 of such offsetting collections shall be available
15 until expended for move, replication, and related costs
16 under this heading associated with a replacement lease for
17 the Commission's Fort Worth Regional Office facilities:
18 *Provided further*, That the total amount appropriated
19 under this heading from the general fund for fiscal year
20 2022 shall be reduced as such offsetting fees are received
21 so as to result in a final total fiscal year 2022 appropria-
22 tion from the general fund estimated at not more than
23 \$0: *Provided further*, That if any amount of the appropria-
24 tion for move, replication, and related costs associated
25 with a replacement lease for the Commission's Fort Worth

1 Regional Office facilities is subsequently de-obligated by
2 the Commission, such amount that was derived from the
3 general fund shall be returned to the general fund, and
4 such amounts that were derived from fees or assessments
5 collected for such purpose shall be paid to each national
6 securities exchange and national securities association, re-
7 spectively, in proportion to any fees or assessments paid
8 by such national securities exchange or national securities
9 association under section 31 of the Securities Exchange
10 Act of 1934 (15 U.S.C. 78ee) in fiscal year 2022.

11 ADMINISTRATIVE PROVISION—SECURITIES AND
12 EXCHANGE COMMISSION

13 SEC. 540. None of the funds made available by this
14 Act may be used to implement the amendments to sections
15 240.14a-1(l), 240.14a-2, or 240.14a-9 of title 17, Code
16 of Federal Regulations, that were adopted by the Securi-
17 ties and Exchange Commission on July 22, 2020.

18 SELECTIVE SERVICE SYSTEM

19 SALARIES AND EXPENSES

20 For necessary expenses of the Selective Service Sys-
21 tem, including expenses of attendance at meetings and of
22 training for uniformed personnel assigned to the Selective
23 Service System, as authorized by 5 U.S.C. 4101–4118 for
24 civilian employees; hire of passenger motor vehicles; serv-
25 ices as authorized by 5 U.S.C. 3109; and not to exceed

1 \$750 for official reception and representation expenses;
2 \$29,200,000: *Provided*, That during the current fiscal
3 year, the President may exempt this appropriation from
4 the provisions of 31 U.S.C. 1341, whenever the President
5 deems such action to be necessary in the interest of na-
6 tional defense: *Provided further*, That none of the funds
7 appropriated by this Act may be expended for or in con-
8 nection with the induction of any person into the Armed
9 Forces of the United States.

10 SMALL BUSINESS ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses, not otherwise provided for,
13 of the Small Business Administration, including hire of
14 passenger motor vehicles as authorized by sections 1343
15 and 1344 of title 31, United States Code, and not to ex-
16 ceed \$3,500 for official reception and representation ex-
17 penses, \$293,625,000, of which not less than \$12,000,000
18 shall be available for examinations, reviews, and other
19 lender oversight activities: *Provided*, That the Adminis-
20 trator is authorized to charge fees to cover the cost of pub-
21 lications developed by the Small Business Administration,
22 and certain loan program activities, including fees author-
23 ized by section 5(b) of the Small Business Act: *Provided*
24 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
25 received from all such activities shall be credited to this

1 account, to remain available until expended, for carrying
2 out these purposes without further appropriations: *Pro-*
3 *vided further*, That the Small Business Administration
4 may accept gifts in an amount not to exceed \$4,000,000
5 and may co-sponsor activities, each in accordance with sec-
6 tion 132(a) of division K of Public Law 108–447, during
7 fiscal year 2022: *Provided further*, That \$6,100,000 shall
8 be available for the Loan Modernization and Accounting
9 System, to be available until September 30, 2023.

10 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

11 For necessary expenses of programs supporting en-
12 trepreneurial and small business development,
13 \$323,800,000, to remain available until September 30,
14 2023: *Provided*, That \$140,000,000 shall be available to
15 fund grants for performance in fiscal year 2022 or fiscal
16 year 2023 as authorized by section 21 of the Small Busi-
17 ness Act: *Provided further*, That \$41,000,000 shall be for
18 marketing, management, and technical assistance under
19 section 7(m) of the Small Business Act (15 U.S.C.
20 636(m)(4)) by intermediaries that make microloans under
21 the microloan program: *Provided further*, That
22 \$20,000,000 shall be available for grants to States to
23 carry out export programs that assist small business con-
24 cerns authorized under section 22(l) of the Small Business
25 Act (15 U.S.C. 649(l)).

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$24,905,000.

5 OFFICE OF ADVOCACY

6 For necessary expenses of the Office of Advocacy in
7 carrying out the provisions of title II of Public Law 94–
8 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
9 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,620,000, to
10 remain available until expended.

11 BUSINESS LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans, \$6,000,000, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That subject to section 502 of the
18 Congressional Budget Act of 1974, during fiscal year
19 2022 commitments to guarantee loans under section 503
20 of the Small Business Investment Act of 1958 shall not
21 exceed \$7,500,000,000: *Provided further*, That during fis-
22 cal year 2022 commitments for general business loans au-
23 thorized under paragraphs (1) through (35) of section
24 7(a) of the Small Business Act shall not exceed
25 \$30,000,000,000 for a combination of amortizing term

1 loans and the aggregated maximum line of credit provided
2 by revolving loans: *Provided further*, That during fiscal
3 year 2022 commitments for loans authorized under sub-
4 paragraph (C) of section 502(7) of the Small Business In-
5 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed
6 \$7,500,000,000: *Provided further*, That during fiscal year
7 2022 commitments to guarantee loans for debentures
8 under section 303(b) of the Small Business Investment
9 Act of 1958 shall not exceed \$4,000,000,000: *Provided*
10 *further*, That during fiscal year 2022, guarantees of trust
11 certificates authorized by section 5(g) of the Small Busi-
12 ness Act shall not exceed a principal amount of
13 \$13,000,000,000. In addition, for administrative expenses
14 to carry out the direct and guaranteed loan programs,
15 \$165,300,000, which may be transferred to and merged
16 with the appropriations for Salaries and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the direct
20 loan program authorized by section 7(b) of the Small
21 Business Act, \$178,000,000, to be available until ex-
22 pended, of which \$1,600,000 is for the Office of Inspector
23 General of the Small Business Administration for audits
24 and reviews of disaster loans and the disaster loan pro-
25 grams and shall be transferred to and merged with the

1 appropriations for the Office of Inspector General; of
2 which \$168,000,000 is for direct administrative expenses
3 of loan making and servicing to carry out the direct loan
4 program, which may be transferred to and merged with
5 the appropriations for Salaries and Expenses; and of
6 which \$8,400,000 is for indirect administrative expenses
7 for the direct loan program, which may be transferred to
8 and merged with the appropriations for Salaries and Ex-
9 penses: *Provided*, That, of the funds provided under this
10 heading, \$143,000,000 shall be for major disasters de-
11 clared pursuant to the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 5122(2)): *Pro-*
13 *vided further*, That the amount for major disasters under
14 this heading is designated by Congress as being for dis-
15 aster relief pursuant to section 1(g) of H. Res. 467 of
16 the 117th Congress as engrossed in the House of Rep-
17 resentatives on June 14, 2021.

18 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

19 ADMINISTRATION

20 (INCLUDING TRANSFERS OF FUNDS)

21 SEC. 550. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the
23 Small Business Administration in this Act may be trans-
24 ferred between such appropriations, but no such appro-
25 priation shall be increased by more than 10 percent by

1 any such transfers: *Provided*, That any transfer pursuant
2 to this paragraph shall be treated as a reprogramming of
3 funds under section 608 of this Act and shall not be avail-
4 able for obligation or expenditure except in compliance
5 with the procedures set forth in that section.

6 SEC. 551. Not to exceed 3 percent of any appropria-
7 tion made available in this Act for the Small Business Ad-
8 ministration under the headings “Salaries and Expenses”
9 and “Business Loans Program Account” may be trans-
10 ferred to the Administration’s information technology sys-
11 tem modernization and working capital fund (IT WCF),
12 as authorized by section 1077(b)(1) of title X of division
13 A of the National Defense Authorization Act for Fiscal
14 Year 2018, for the purposes specified in section
15 1077(b)(3) of such Act, upon the advance approval of the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate: *Provided*, That amounts transferred
18 to the IT WCF under this section shall remain available
19 for obligation through September 30, 2025.

20 SEC. 552. For an additional amount under the head-
21 ing “Small Business Administration—Salaries and Ex-
22 penses”, \$32,424,945, which shall be for initiatives related
23 to small business development and entrepreneurship, in-
24 cluding programmatic and construction activities, in the
25 amounts and for the projects specified in the table that

1 appears under the heading “Administrative Provisions—
2 Small Business Administration” in the report accom-
3 panying this Act: *Provided*, That, notwithstanding sections
4 2701.92 and 2701.93 of title 2, Code of Federal Regula-
5 tions, the Administrator of the Small Business Adminis-
6 tration may permit awards to subrecipients for initiatives
7 funded under this section: *Provided further*, That none of
8 the funds made available by this section may be trans-
9 ferred for any other purpose.

10 UNITED STATES POSTAL SERVICE

11 PAYMENT TO THE POSTAL SERVICE FUND

12 For payment to the Postal Service Fund for revenue
13 forgone on free and reduced rate mail, pursuant to sub-
14 sections (c) and (d) of section 2401 of title 39, United
15 States Code, \$58,570,000: *Provided*, That mail for over-
16 seas voting and mail for the blind shall continue to be free:
17 *Provided further*, That 6-day delivery and rural delivery
18 of mail shall continue at not less than the 1983 level: *Pro-*
19 *vided further*, That none of the funds made available to
20 the Postal Service by this Act shall be used to implement
21 any rule, regulation, or policy of charging any officer or
22 employee of any State or local child support enforcement
23 agency, or any individual participating in a State or local
24 program of child support enforcement, a fee for informa-
25 tion requested or provided concerning an address of a

1 postal customer: *Provided further*, That none of the funds
2 provided in this Act shall be used to consolidate or close
3 small rural and other small post offices: *Provided further*,
4 That the Postal Service may not destroy, and shall con-
5 tinue to offer for sale, any copies of the Multinational Spe-
6 cies Conservation Funds Semipostal Stamp, as authorized
7 under the Multinational Species Conservation Funds
8 Semipostal Stamp Act of 2010 (Public Law 111–241).

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, \$263,000,000, to be derived by
15 transfer from the Postal Service Fund and expended as
16 authorized by section 603(b)(3) of the Postal Account-
17 ability and Enhancement Act (Public Law 109–435).

18 UNITED STATES TAX COURT

19 SALARIES AND EXPENSES

20 For necessary expenses, including contract reporting
21 and other services as authorized by 5 U.S.C. 3109, and
22 not to exceed \$3,000 for official reception and representa-
23 tion expenses; \$58,200,000, of which \$1,000,000 shall re-
24 main available until expended: *Provided*, That travel ex-

1 penses of the judges shall be paid upon the written certifi-
2 cate of the judge.

3 TITLE VI
4 GENERAL PROVISIONS—THIS ACT
5 (INCLUDING RESCISSION OF FUNDS)

6 SEC. 601. None of the funds in this Act shall be used
7 for the planning or execution of any program to pay the
8 expenses of, or otherwise compensate, non-Federal parties
9 intervening in regulatory or adjudicatory proceedings
10 funded in this Act.

11 SEC. 602. None of the funds appropriated in this Act
12 shall remain available for obligation beyond the current
13 fiscal year, nor may any be transferred to other appropria-
14 tions, unless expressly so provided herein.

15 SEC. 603. The expenditure of any appropriation
16 under this Act for any consulting service through procure-
17 ment contract pursuant to 5 U.S.C. 3109, shall be limited
18 to those contracts where such expenditures are a matter
19 of public record and available for public inspection, except
20 where otherwise provided under existing law, or under ex-
21 isting Executive order issued pursuant to existing law.

22 SEC. 604. None of the funds made available in this
23 Act may be transferred to any department, agency, or in-
24 strumentality of the United States Government, except

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this Act or any other appropriations Act.

3 SEC. 605. None of the funds made available by this
4 Act shall be available for any activity or for paying the
5 salary of any Government employee where funding an ac-
6 tivity or paying a salary to a Government employee would
7 result in a decision, determination, rule, regulation, or pol-
8 icy that would prohibit the enforcement of section 307 of
9 the Tariff Act of 1930 (19 U.S.C. 1307).

10 SEC. 606. No funds appropriated pursuant to this
11 Act may be expended by an entity unless the entity agrees
12 that in expending the assistance the entity will comply
13 with chapter 83 of title 41, United States Code.

14 SEC. 607. No funds appropriated or otherwise made
15 available under this Act shall be made available to any
16 person or entity that has been convicted of violating chap-
17 ter 83 of title 41, United States Code.

18 SEC. 608. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2022, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be
25 available for obligation or expenditure through a re-

1 programming of funds that: (1) creates a new program;
2 (2) eliminates a program, project, or activity; (3) increases
3 funds or personnel for any program, project, or activity
4 for which funds have been denied or restricted by the Con-
5 gress; (4) proposes to use funds directed for a specific ac-
6 tivity by the Committee on Appropriations of either the
7 House of Representatives or the Senate for a different
8 purpose; (5) augments existing programs, projects, or ac-
9 tivities in excess of \$5,000,000 or 10 percent, whichever
10 is less; (6) reduces existing programs, projects, or activi-
11 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
12 creates or reorganizes offices, programs, or activities un-
13 less prior approval is received from the Committees on Ap-
14 propriations of the House of Representatives and the Sen-
15 ate: *Provided*, That prior to any significant reorganization,
16 restructuring, relocation, or closing of offices, programs,
17 or activities, each agency or entity funded in this Act shall
18 consult with the Committees on Appropriations of the
19 House of Representatives and the Senate: *Provided fur-*
20 *ther*, That not later than 60 days after the date of enact-
21 ment of this Act, each agency funded by this Act shall
22 submit a report to the Committees on Appropriations of
23 the House of Representatives and the Senate to establish
24 the baseline for application of reprogramming and trans-
25 fer authorities for the current fiscal year: *Provided further*,

1 That at a minimum the report shall include: (1) a table
2 for each appropriation, detailing both full-time employee
3 equivalents and budget authority, with separate columns
4 to display the prior year enacted level, the President's
5 budget request, adjustments made by Congress, adjust-
6 ments due to enacted rescissions, if appropriate, and the
7 fiscal year enacted level; (2) a delineation in the table for
8 each appropriation and its respective prior year enacted
9 level by object class and program, project, and activity as
10 detailed in this Act, in the accompanying report, or in the
11 budget appendix for the respective appropriation, which-
12 ever is more detailed, and which shall apply to all items
13 for which a dollar amount is specified and to all programs
14 for which new budget authority is provided, as well as to
15 discretionary grants and discretionary grant allocations;
16 and (3) an identification of items of special congressional
17 interest: *Provided further*, That the amount appropriated
18 or limited for salaries and expenses for an agency shall
19 be reduced by \$100,000 per day for each day after the
20 required date that the report has not been submitted to
21 the Congress.

22 SEC. 609. Except as otherwise specifically provided
23 by law, not to exceed 50 percent of unobligated balances
24 remaining available at the end of fiscal year 2022 from
25 appropriations made available for salaries and expenses

1 for fiscal year 2022 in this Act, shall remain available
2 through September 30, 2023, for each such account for
3 the purposes authorized: *Provided*, That a request shall
4 be submitted to the Committees on Appropriations of the
5 House of Representatives and the Senate for approval
6 prior to the expenditure of such funds: *Provided further*,
7 That these requests shall be made in compliance with re-
8 programming guidelines.

9 SEC. 610. (a) None of the funds made available in
10 this Act may be used by the Executive Office of the Presi-
11 dent to request—

12 (1) any official background investigation report
13 on any individual from the Federal Bureau of Inves-
14 tigation; or

15 (2) a determination with respect to the treat-
16 ment of an organization as described in section
17 501(c) of the Internal Revenue Code of 1986 and
18 exempt from taxation under section 501(a) of such
19 Code from the Department of the Treasury or the
20 Internal Revenue Service.

21 (b) Subsection (a) shall not apply—

22 (1) in the case of an official background inves-
23 tigation report, if such individual has given express
24 written consent for such request not more than 6

1 months prior to the date of such request and during
2 the same presidential administration; or

3 (2) if such request is required due to extraor-
4 dinary circumstances involving national security.

5 SEC. 611. The cost accounting standards promul-
6 gated under chapter 15 of title 41, United States Code
7 shall not apply with respect to a contract under the Fed-
8 eral Employees Health Benefits Program established
9 under chapter 89 of title 5, United States Code.

10 SEC. 612. For the purpose of resolving litigation and
11 implementing any settlement agreements regarding the
12 nonforeign area cost-of-living allowance program, the Of-
13 fice of Personnel Management may accept and utilize
14 (without regard to any restriction on unanticipated travel
15 expenses imposed in an Appropriations Act) funds made
16 available to the Office of Personnel Management pursuant
17 to court approval.

18 SEC. 613. In order to promote Government access to
19 commercial information technology, the restriction on pur-
20 chasing nondomestic articles, materials, and supplies set
21 forth in chapter 83 of title 41, United States Code (popu-
22 larly known as the Buy American Act), shall not apply
23 to the acquisition by the Federal Government of informa-
24 tion technology (as defined in section 11101 of title 40,

1 United States Code), that is a commercial item (as defined
2 in section 103 of title 41, United States Code).

3 SEC. 614. Notwithstanding section 1353 of title 31,
4 United States Code, no officer or employee of any regu-
5 latory agency or commission funded by this Act may ac-
6 cept on behalf of that agency, nor may such agency or
7 commission accept, payment or reimbursement from a
8 non-Federal entity for travel, subsistence, or related ex-
9 penses for the purpose of enabling an officer or employee
10 to attend and participate in any meeting or similar func-
11 tion relating to the official duties of the officer or em-
12 ployee when the entity offering payment or reimbursement
13 is a person or entity subject to regulation by such agency
14 or commission, or represents a person or entity subject
15 to regulation by such agency or commission, unless the
16 person or entity is an organization described in section
17 501(c)(3) of the Internal Revenue Code of 1986 and ex-
18 empt from tax under section 501(a) of such Code.

19 SEC. 615. Notwithstanding section 708 of this Act,
20 funds made available to the Commodity Futures Trading
21 Commission and the Securities and Exchange Commission
22 by this or any other Act may be used for the interagency
23 funding and sponsorship of a joint advisory committee to
24 advise on emerging regulatory issues.

1 SEC. 616. (a)(1) Notwithstanding any other provision
2 of law, an Executive agency covered by this Act otherwise
3 authorized to enter into contracts for either leases or the
4 construction or alteration of real property for office, meet-
5 ing, storage, or other space must consult with the General
6 Services Administration before issuing a solicitation for of-
7 fers of new leases or construction contracts, and in the
8 case of succeeding leases, before entering into negotiations
9 with the current lessor.

10 (2) Any such agency with authority to enter into an
11 emergency lease may do so during any period declared by
12 the President to require emergency leasing authority with
13 respect to such agency.

14 (b) For purposes of this section, the term “Executive
15 agency covered by this Act” means any Executive agency
16 provided funds by this Act, but does not include the Gen-
17 eral Services Administration or the United States Postal
18 Service.

19 SEC. 617. (a) There are appropriated for the fol-
20 lowing activities the amounts required under current law:

21 (1) Compensation of the President (3 U.S.C.
22 102).

23 (2) Payments to—

24 (A) the Judicial Officers’ Retirement Fund

25 (28 U.S.C. 377(o));

1 (B) the Judicial Survivors' Annuities Fund
2 (28 U.S.C. 376(c)); and

3 (C) the United States Court of Federal
4 Claims Judges' Retirement Fund (28 U.S.C.
5 178(l)).

6 (3) Payment of Government contributions—

7 (A) with respect to the health benefits of
8 retired employees, as authorized by chapter 89
9 of title 5, United States Code, and the Retired
10 Federal Employees Health Benefits Act (74
11 Stat. 849); and

12 (B) with respect to the life insurance bene-
13 fits for employees retiring after December 31,
14 1989 (5 U.S.C. ch. 87).

15 (4) Payment to finance the unfunded liability of
16 new and increased annuity benefits under the Civil
17 Service Retirement and Disability Fund (5 U.S.C.
18 8348).

19 (5) Payment of annuities authorized to be paid
20 from the Civil Service Retirement and Disability
21 Fund by statutory provisions other than subchapter
22 III of chapter 83 or chapter 84 of title 5, United
23 States Code.

24 (b) Nothing in this section may be construed to ex-
25 empt any amount appropriated by this section from any

1 otherwise applicable limitation on the use of funds con-
2 tained in this Act.

3 SEC. 618. None of the funds made available in this
4 Act may be used by the Federal Trade Commission to
5 complete the draft report entitled “Interagency Working
6 Group on Food Marketed to Children: Preliminary Pro-
7 posed Nutrition Principles to Guide Industry Self-Regu-
8 latory Efforts” unless the Interagency Working Group on
9 Food Marketed to Children complies with Executive Order
10 No. 13563.

11 SEC. 619. (a) The head of each executive branch
12 agency funded by this Act shall ensure that the Chief In-
13 formation Officer of the agency has the authority to par-
14 ticipate in decisions regarding the budget planning process
15 related to information technology.

16 (b) Amounts appropriated for any executive branch
17 agency funded by this Act that are available for informa-
18 tion technology shall be allocated within the agency, con-
19 sistent with the provisions of appropriations Acts and
20 budget guidelines and recommendations from the Director
21 of the Office of Management and Budget, in such manner
22 as specified by, or approved by, the Chief Information Of-
23 ficer of the agency in consultation with the Chief Financial
24 Officer of the agency and budget officials.

1 SEC. 620. None of the funds made available in this
2 Act may be used in contravention of chapter 29, 31, or
3 33 of title 44, United States Code.

4 SEC. 621. None of the funds made available in this
5 Act may be used by a governmental entity to require the
6 disclosure by a provider of electronic communication serv-
7 ice to the public or remote computing service of the con-
8 tents of a wire or electronic communication that is in elec-
9 tronic storage with the provider (as such terms are defined
10 in sections 2510 and 2711 of title 18, United States Code)
11 in a manner that violates the Fourth Amendment to the
12 Constitution of the United States.

13 SEC. 622. No funds provided in this Act shall be used
14 to deny an Inspector General funded under this Act timely
15 access to any records, documents, or other materials avail-
16 able to the department or agency over which that Inspec-
17 tor General has responsibilities under the Inspector Gen-
18 eral Act of 1978, or to prevent or impede that Inspector
19 General's access to such records, documents, or other ma-
20 terials, under any provision of law, except a provision of
21 law that expressly refers to the Inspector General and ex-
22 pressly limits the Inspector General's right of access. A
23 department or agency covered by this section shall provide
24 its Inspector General with access to all such records, docu-
25 ments, and other materials in a timely manner. Each In-

1 spector General shall ensure compliance with statutory
2 limitations on disclosure relevant to the information pro-
3 vided by the establishment over which that Inspector Gen-
4 eral has responsibilities under the Inspector General Act
5 of 1978. Each Inspector General covered by this section
6 shall report to the Committees on Appropriations of the
7 House of Representatives and the Senate within 5 cal-
8 endar days any failures to comply with this requirement.

9 SEC. 623. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network blocks the viewing,
12 downloading, and exchanging of pornography.

13 (b) Nothing in subsection (a) shall limit the use of
14 funds necessary for any Federal, State, tribal, or local law
15 enforcement agency or any other entity carrying out crimi-
16 nal investigations, prosecution, adjudication activities, or
17 other law enforcement- or victim assistance-related activ-
18 ity.

19 SEC. 624. None of the funds appropriated or other-
20 wise made available by this Act may be used to pay award
21 or incentive fees for contractors whose performance has
22 been judged to be below satisfactory, behind schedule, over
23 budget, or has failed to meet the basic requirements of
24 a contract, unless the Agency determines that any such
25 deviations are due to unforeseeable events, government-

1 driven scope changes, or are not significant within the
2 overall scope of the project and/or program and unless
3 such awards or incentive fees are consistent with
4 16.401(e)(2) of the Federal Acquisition Regulation.

5 SEC. 625. (a) None of the funds made available under
6 this Act may be used to pay for travel and conference ac-
7 tivities that result in a total cost to an Executive branch
8 department, agency, board or commission funded by this
9 Act of more than \$500,000 at any single conference unless
10 the agency or entity determines that such attendance is
11 in the national interest and advance notice is transmitted
12 to the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate that includes the basis of that
14 determination.

15 (b) None of the funds made available under this Act
16 may be used to pay for the travel to or attendance of more
17 than 50 employees, who are stationed in the United
18 States, at any single conference occurring outside the
19 United States unless the agency or entity determines that
20 such attendance is in the national interest and advance
21 notice is transmitted to the Committees on Appropriations
22 of the House of Representatives and the Senate that in-
23 cludes the basis of that determination.

24 SEC. 626. None of the funds made available by this
25 Act may be used for first-class or business-class travel by

1 the employees of executive branch agencies funded by this
2 Act in contravention of sections 301–10.122 through 301–
3 10.125 of title 41, Code of Federal Regulations.

4 SEC. 627. In addition to any amounts appropriated
5 or otherwise made available for expenses related to en-
6 hancements to www.oversight.gov, \$850,000, to remain
7 available until expended, shall be provided for an addi-
8 tional amount for such purpose to the Inspectors General
9 Council Fund established pursuant to section 11(c)(3)(B)
10 of the Inspector General Act of 1978 (5 U.S.C. App.):
11 *Provided*, That these amounts shall be in addition to any
12 amounts or any authority available to the Council of the
13 Inspectors General on Integrity and Efficiency under sec-
14 tion 11 of the Inspector General Act of 1978 (5 U.S.C.
15 App.).

16 SEC. 628. None of the funds made available by this
17 Act may be obligated on contracts in excess of \$5,000 for
18 public relations, as that term is defined in Office and Man-
19 agement and Budget Circular A–87 (revised May 10,
20 2004), unless advance notice of such an obligation is
21 transmitted to the Committees on Appropriations of the
22 House of Representatives and the Senate.

23 SEC. 629. None of the funds made available in this
24 Act may be used to penalize a financial institution solely
25 because the institution provides financial services to an en-

1 tity that is a manufacturer, a producer, or a person that
2 participates in any business or organized activity that in-
3 volves handling hemp, hemp-derived cannabidiol products,
4 other hemp-derived cannabinoid products, marijuana,
5 marijuana products, or marijuana proceeds, and engages
6 in such activity pursuant to a law established by a State,
7 political subdivision of a State, or Indian Tribe. In this
8 section, the term “State” means each of the several
9 States, the District of Columbia, and any territory or pos-
10 session of the United States.

11 SEC. 630. Of the unobligated balances available in
12 the Department of the Treasury, Treasury Forfeiture
13 Fund, established by section 9703 of title 31, United
14 States Code, \$20,000,000 shall be permanently rescinded
15 not later than September 30, 2022.

16 TITLE VII

17 GENERAL PROVISIONS—GOVERNMENT-WIDE

18 DEPARTMENTS, AGENCIES, AND CORPORATIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 701. No department, agency, or instrumentality
21 of the United States receiving appropriated funds under
22 this or any other Act for fiscal year 2022 shall obligate
23 or expend any such funds, unless such department, agen-
24 cy, or instrumentality has in place, and will continue to
25 administer in good faith, a written policy designed to en-

1 sure that all of its workplaces are free from the illegal
2 use, possession, or distribution of controlled substances
3 (as defined in the Controlled Substances Act (21 U.S.C.
4 802)) by the officers and employees of such department,
5 agency, or instrumentality.

6 SEC. 702. Unless otherwise specifically provided, the
7 maximum amount allowable during the current fiscal year
8 in accordance with subsection 1343(c) of title 31, United
9 States Code, for the purchase of any passenger motor ve-
10 hicle (exclusive of buses, ambulances, law enforcement ve-
11 hicles, protective vehicles, and undercover surveillance ve-
12 hicles), is hereby fixed at \$19,947 except station wagons
13 for which the maximum shall be \$19,997: *Provided*, That
14 these limits may be exceeded by not to exceed \$7,250 for
15 police-type vehicles: *Provided further*, That the limits set
16 forth in this section may not be exceeded by more than
17 5 percent for electric or hybrid vehicles purchased for
18 demonstration under the provisions of the Electric and
19 Hybrid Vehicle Research, Development, and Demonstra-
20 tion Act of 1976: *Provided further*, That the limits set
21 forth in this section may be exceeded by the incremental
22 cost of clean alternative fuels vehicles acquired pursuant
23 to Public Law 101–549 over the cost of comparable con-
24 ventionally fueled vehicles: *Provided further*, That the lim-
25 its set forth in this section shall not apply to any vehicle

1 that is a commercial item and which operates on alter-
2 native fuel, including but not limited to electric, plug-in
3 hybrid electric, and hydrogen fuel cell vehicles.

4 SEC. 703. Appropriations of the executive depart-
5 ments and independent establishments for the current fis-
6 cal year available for expenses of travel, or for the ex-
7 penses of the activity concerned, are hereby made available
8 for quarters allowances and cost-of-living allowances, in
9 accordance with 5 U.S.C. 5922–5924.

10 SEC. 704. Unless otherwise specified in law during
11 the current fiscal year, no part of any appropriation con-
12 tained in this or any other Act shall be used to pay the
13 compensation of any officer or employee of the Govern-
14 ment of the United States (including any agency the ma-
15 jority of the stock of which is owned by the Government
16 of the United States) whose post of duty is in the conti-
17 nental United States unless such person: (1) is a citizen
18 of the United States; (2) is a person who is lawfully admit-
19 ted for permanent residence and is seeking citizenship as
20 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
21 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
22 ed asylum under 8 U.S.C. 1158 and has filed a declaration
23 of intention to become a lawful permanent resident and
24 then a citizen when eligible; (4) is a person who owes alle-
25 giance to the United States; or (5) is a person who is au-

1 thorized to be employed in the United States pursuant to
2 the Deferred Action for Childhood Arrivals program estab-
3 lished under the memorandum of the Secretary of Home-
4 land Security dated June 15, 2012: *Provided*, That for
5 purposes of this section, affidavits signed by any such per-
6 son shall be considered prima facie evidence that the re-
7 quirements of this section with respect to his or her status
8 are being complied with: *Provided further*, That for pur-
9 poses of subsections (2) and (3) such affidavits shall be
10 submitted prior to employment and updated thereafter as
11 necessary: *Provided further*, That any person making a
12 false affidavit shall be guilty of a felony, and upon convic-
13 tion, shall be fined no more than \$4,000 or imprisoned
14 for not more than 1 year, or both: *Provided further*, That
15 the above penal clause shall be in addition to, and not in
16 substitution for, any other provisions of existing law: *Pro-*
17 *vided further*, That any payment made to any officer or
18 employee contrary to the provisions of this section shall
19 be recoverable in action by the Federal Government: *Pro-*
20 *vided further*, That this section shall not apply to any per-
21 son who is an officer or employee of the Government of
22 the United States on the date of enactment of this Act,
23 or to international broadcasters employed by the Broad-
24 casting Board of Governors, or to temporary employment
25 of translators, or to temporary employment in the field

1 service (not to exceed 60 days) as a result of emergencies:
2 *Provided further*, That this section does not apply to the
3 employment as Wildland firefighters for not more than
4 120 days of nonresident aliens employed by the Depart-
5 ment of the Interior or the USDA Forest Service pursuant
6 to an agreement with another country.

7 SEC. 705. Appropriations available to any depart-
8 ment or agency during the current fiscal year for nec-
9 essary expenses, including maintenance or operating ex-
10 penses, shall also be available for payment to the General
11 Services Administration for charges for space and services
12 and those expenses of renovation and alteration of build-
13 ings and facilities which constitute public improvements
14 performed in accordance with the Public Buildings Act of
15 1959 (73 Stat. 479), the Public Buildings Amendments
16 of 1972 (86 Stat. 216), or other applicable law.

17 SEC. 706. In addition to funds provided in this or
18 any other Act, all Federal agencies are authorized to re-
19 ceive and use funds resulting from the sale of materials,
20 including Federal records disposed of pursuant to a
21 records schedule recovered through recycling or waste pre-
22 vention programs. Such funds shall be available until ex-
23 pended for the following purposes:

24 (1) Acquisition, waste reduction and prevention,
25 and recycling programs as described in Executive

1 Order No. 13834 (May 17, 2018), including any
2 such programs adopted prior to the effective date of
3 the Executive order.

4 (2) Other Federal agency environmental man-
5 agement programs, including, but not limited to, the
6 development and implementation of hazardous waste
7 management and pollution prevention programs.

8 (3) Other employee programs as authorized by
9 law or as deemed appropriate by the head of the
10 Federal agency.

11 SEC. 707. Funds made available by this or any other
12 Act for administrative expenses in the current fiscal year
13 of the corporations and agencies subject to chapter 91 of
14 title 31, United States Code, shall be available, in addition
15 to objects for which such funds are otherwise available,
16 for rent in the District of Columbia; services in accordance
17 with 5 U.S.C. 3109; and the objects specified under this
18 head, all the provisions of which shall be applicable to the
19 expenditure of such funds unless otherwise specified in the
20 Act by which they are made available: *Provided*, That in
21 the event any functions budgeted as administrative ex-
22 penses are subsequently transferred to or paid from other
23 funds, the limitations on administrative expenses shall be
24 correspondingly reduced.

1 SEC. 708. No part of any appropriation contained in
2 this or any other Act shall be available for interagency
3 financing of boards (except Federal Executive Boards),
4 commissions, councils, committees, or similar groups
5 (whether or not they are interagency entities) which do
6 not have a prior and specific statutory approval to receive
7 financial support from more than one agency or instru-
8 mentality.

9 SEC. 709. None of the funds made available pursuant
10 to the provisions of this or any other Act shall be used
11 to implement, administer, or enforce any regulation which
12 has been disapproved pursuant to a joint resolution duly
13 adopted in accordance with the applicable law of the
14 United States.

15 SEC. 710. During the period in which the head of
16 any department or agency, or any other officer or civilian
17 employee of the Federal Government appointed by the
18 President of the United States, holds office, no funds may
19 be obligated or expended in excess of \$5,000 to furnish
20 or redecorate the office of such department head, agency
21 head, officer, or employee, or to purchase furniture or
22 make improvements for any such office, unless advance
23 notice of such furnishing or redecoration is transmitted
24 to the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate. For the purposes of this sec-

tion, the term “office” shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the indi-

1 vidual was not created solely or primarily in order to detail
2 the individual to the White House.

3 (b) The provisions of this section shall not apply to
4 Federal employees or members of the armed forces de-
5 tailed to or from an element of the intelligence community
6 (as that term is defined under section 3(4) of the National
7 Security Act of 1947 (50 U.S.C. 3003(4))).

8 SEC. 713. No part of any appropriation contained in
9 this or any other Act shall be available for the payment
10 of the salary of any officer or employee of the Federal
11 Government, who—

12 (1) prohibits or prevents, or attempts or threat-
13 ens to prohibit or prevent, any other officer or em-
14 ployee of the Federal Government from having any
15 direct oral or written communication or contact with
16 any Member, committee, or subcommittee of the
17 Congress in connection with any matter pertaining
18 to the employment of such other officer or employee
19 or pertaining to the department or agency of such
20 other officer or employee in any way, irrespective of
21 whether such communication or contact is at the ini-
22 tiative of such other officer or employee or in re-
23 sponse to the request or inquiry of such Member,
24 committee, or subcommittee; or

1 (2) removes, suspends from duty without pay,
2 demotes, reduces in rank, seniority, status, pay, or
3 performance or efficiency rating, denies promotion
4 to, relocates, reassigns, transfers, disciplines, or dis-
5 criminates in regard to any employment right, enti-
6 tlement, or benefit, or any term or condition of em-
7 ployment of, any other officer or employee of the
8 Federal Government, or attempts or threatens to
9 commit any of the foregoing actions with respect to
10 such other officer or employee, by reason of any
11 communication or contact of such other officer or
12 employee with any Member, committee, or sub-
13 committee of the Congress as described in paragraph
14 (1).

15 SEC. 714. (a) None of the funds made available in
16 this or any other Act may be obligated or expended for
17 any employee training that—

18 (1) does not meet identified needs for knowl-
19 edge, skills, and abilities bearing directly upon the
20 performance of official duties;

21 (2) contains elements likely to induce high lev-
22 els of emotional response or psychological stress in
23 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasi-religious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

12 (b) Nothing in this section shall prohibit, restrict, or
13 otherwise preclude an agency from conducting training
14 bearing directly upon the performance of official duties.

15 SEC. 715. No part of any funds appropriated in this
16 or any other Act shall be used by an agency of the execu-
17 tive branch, other than for normal and recognized execu-
18 tive-legislative relationships, for publicity or propaganda
19 purposes, and for the preparation, distribution or use of
20 any kit, pamphlet, booklet, publication, radio, television,
21 or film presentation designed to support or defeat legisla-
22 tion pending before the Congress, except in presentation
23 to the Congress itself.

24 SEC. 716. None of the funds appropriated by this or
25 any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization
2 except when the employee has authorized such disclosure
3 or when such disclosure has been ordered by a court of
4 competent jurisdiction.

5 SEC. 717. None of the funds made available in this
6 or any other Act may be used to provide any non-public
7 information such as mailing, telephone, or electronic mail-
8 ing lists to any person or any organization outside of the
9 Federal Government without the approval of the Commit-
10 tees on Appropriations of the House of Representatives
11 and the Senate.

12 SEC. 718. No part of any appropriation contained in
13 this or any other Act shall be used directly or indirectly,
14 including by private contractor, for publicity or propa-
15 ganda purposes within the United States not heretofore
16 authorized by Congress.

17 SEC. 719. (a) In this section, the term "agency"—

18 (1) means an Executive agency, as defined
19 under 5 U.S.C. 105; and

20 (2) includes a military department, as defined
21 under section 102 of such title, the United States
22 Postal Service, and the Postal Regulatory Commis-
23 sion.

24 (b) Unless authorized in accordance with law or regu-
25 lations to use such time for other purposes, an employee

1 of an agency shall use official time in an honest effort
2 to perform official duties. An employee not under a leave
3 system, including a Presidential appointee exempted under
4 5 U.S.C. 6301(2), has an obligation to expend an honest
5 effort and a reasonable proportion of such employee's time
6 in the performance of official duties.

7 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
8 tion 708 of this Act, funds made available for the current
9 fiscal year by this or any other Act to any department
10 or agency, which is a member of the Federal Accounting
11 Standards Advisory Board (FASAB), shall be available to
12 finance an appropriate share of FASAB administrative
13 costs.

14 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
15 tion 708 of this Act, the head of each Executive depart-
16 ment and agency is hereby authorized to transfer to or
17 reimburse "General Services Administration, Government-
18 wide Policy" with the approval of the Director of the Of-
19 fice of Management and Budget, funds made available for
20 the current fiscal year by this or any other Act, including
21 rebates from charge card and other contracts: *Provided*,
22 That these funds shall be administered by the Adminis-
23 trator of General Services to support Government-wide
24 and other multi-agency financial, information technology,
25 procurement, and other management innovations, initia-

1 tives, and activities, including improving coordination and
2 reducing duplication, as approved by the Director of the
3 Office of Management and Budget, in consultation with
4 the appropriate interagency and multi-agency groups des-
5 ignated by the Director (including the President’s Man-
6 agement Council for overall management improvement ini-
7 tiatives, the Chief Financial Officers Council for financial
8 management initiatives, the Chief Information Officers
9 Council for information technology initiatives, the Chief
10 Human Capital Officers Council for human capital initia-
11 tives, the Chief Acquisition Officers Council for procure-
12 ment initiatives, and the Performance Improvement Coun-
13 cil for performance improvement initiatives): *Provided fur-*
14 *ther*, That the total funds transferred or reimbursed shall
15 not exceed \$15,000,000 to improve coordination, reduce
16 duplication, and for other activities related to Federal
17 Government Priority Goals established by 31 U.S.C. 1120,
18 and not to exceed \$17,000,000 for Government-Wide inno-
19 vations, initiatives, and activities: *Provided further*, That
20 the funds transferred to or for reimbursement of “General
21 Services Administration, Government-wide Policy” during
22 fiscal year 2022 shall remain available for obligation
23 through September 30, 2023: *Provided further*, That such
24 transfers or reimbursements may only be made after 15
25 days following notification of the Committees on Appro-

1 priations of the House of Representatives and the Senate
2 by the Director of the Office of Management and Budget.

3 SEC. 722. Notwithstanding any other provision of
4 law, a woman may breastfeed her child at any location
5 in a Federal building or on Federal property, if the woman
6 and her child are otherwise authorized to be present at
7 the location.

8 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
9 tion 708 of this Act, funds made available for the current
10 fiscal year by this or any other Act shall be available for
11 the interagency funding of specific projects, workshops,
12 studies, and similar efforts to carry out the purposes of
13 the National Science and Technology Council (authorized
14 by Executive Order No. 12881), which benefit multiple
15 Federal departments, agencies, or entities: *Provided*, That
16 the Office of Management and Budget shall provide a re-
17 port describing the budget of and resources connected with
18 the National Science and Technology Council to the Com-
19 mittees on Appropriations, the House Committee on
20 Science, Space, and Technology, and the Senate Com-
21 mittee on Commerce, Science, and Transportation 90 days
22 after enactment of this Act.

23 SEC. 724. Any request for proposals, solicitation,
24 grant application, form, notification, press release, or
25 other publications involving the distribution of Federal

1 funds shall comply with any relevant requirements in part
2 200 of title 2, Code of Federal Regulations: *Provided*,
3 That this section shall apply to direct payments, formula
4 funds, and grants received by a State receiving Federal
5 funds.

6 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
7 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
8 the funds made available in this or any other Act may
9 be used by any Federal agency—

10 (1) to collect, review, or create any aggregation
11 of data, derived from any means, that includes any
12 personally identifiable information relating to an in-
13 dividual's access to or use of any Federal Govern-
14 ment Internet site of the agency; or

15 (2) to enter into any agreement with a third
16 party (including another government agency) to col-
17 lect, review, or obtain any aggregation of data, de-
18 rived from any means, that includes any personally
19 identifiable information relating to an individual's
20 access to or use of any nongovernmental Internet
21 site.

22 (b) EXCEPTIONS.—The limitations established in
23 subsection (a) shall not apply to—

24 (1) any record of aggregate data that does not
25 identify particular persons;

1 (2) any voluntary submission of personally iden-
2 tifiable information;

3 (3) any action taken for law enforcement, regu-
4 latory, or supervisory purposes, in accordance with
5 applicable law; or

6 (4) any action described in subsection (a)(1)
7 that is a system security action taken by the oper-
8 ator of an Internet site and is necessarily incident
9 to providing the Internet site services or to pro-
10 tecting the rights or property of the provider of the
11 Internet site.

12 (c) DEFINITIONS.—For the purposes of this section:

13 (1) The term “regulatory” means agency ac-
14 tions to implement, interpret or enforce authorities
15 provided in law.

16 (2) The term “supervisory” means examina-
17 tions of the agency’s supervised institutions, includ-
18 ing assessing safety and soundness, overall financial
19 condition, management practices and policies and
20 compliance with applicable standards as provided in
21 law.

22 SEC. 726. (a) None of the funds appropriated by this
23 Act may be used to enter into or renew a contract which
24 includes a provision providing prescription drug coverage,

1 except where the contract also includes a provision for con-
2 traceptive coverage.

3 (b) Nothing in this section shall apply to a contract
4 with—

5 (1) any of the following religious plans:

6 (A) Personal Care's HMO; and

7 (B) OSF HealthPlans, Inc.; and

8 (2) any existing or future plan, if the carrier
9 for the plan objects to such coverage on the basis of
10 religious beliefs.

11 (c) In implementing this section, any plan that enters
12 into or renews a contract under this section may not sub-
13 ject any individual to discrimination on the basis that the
14 individual refuses to prescribe or otherwise provide for
15 contraceptives because such activities would be contrary
16 to the individual's religious beliefs or moral convictions.

17 (d) Nothing in this section shall be construed to re-
18 quire coverage of abortion or abortion-related services.

19 SEC. 727. The United States is committed to ensur-
20 ing the health of its Olympic, Pan American, and
21 Paralympic athletes, and supports the strict adherence to
22 anti-doping in sport through testing, adjudication, edu-
23 cation, and research as performed by nationally recognized
24 oversight authorities.

1 SEC. 728. Notwithstanding any other provision of
2 law, funds appropriated for official travel to Federal de-
3 partments and agencies may be used by such departments
4 and agencies, if consistent with Office of Management and
5 Budget Circular A-126 regarding official travel for Gov-
6 ernment personnel, to participate in the fractional aircraft
7 ownership pilot program.

8 SEC. 729. Notwithstanding any other provision of
9 law, none of the funds appropriated or made available
10 under this or any other appropriations Act may be used
11 to implement or enforce restrictions or limitations on the
12 Coast Guard Congressional Fellowship Program, or to im-
13 plement the proposed regulations of the Office of Per-
14 sonnel Management to add sections 300.311 through
15 300.316 to part 300 of title 5 of the Code of Federal Reg-
16 ulations, published in the Federal Register, volume 68,
17 number 174, on September 9, 2003 (relating to the detail
18 of executive branch employees to the legislative branch).

19 SEC. 730. Notwithstanding any other provision of
20 law, no executive branch agency shall purchase, construct,
21 or lease any additional facilities, except within or contig-
22 uous to existing locations, to be used for the purpose of
23 conducting Federal law enforcement training without the
24 advance approval of the Committees on Appropriations of
25 the House of Representatives and the Senate, except that

1 the Federal Law Enforcement Training Centers is author-
2 ized to obtain the temporary use of additional facilities
3 by lease, contract, or other agreement for training which
4 cannot be accommodated in existing Centers facilities.

5 SEC. 731. Unless otherwise authorized by existing
6 law, none of the funds provided in this or any other Act
7 may be used by an executive branch agency to produce
8 any prepackaged news story intended for broadcast or dis-
9 tribution in the United States, unless the story includes
10 a clear notification within the text or audio of the pre-
11 packaged news story that the prepackaged news story was
12 prepared or funded by that executive branch agency.

13 SEC. 732. None of the funds made available in this
14 Act may be used in contravention of section 552a of title
15 5, United States Code (popularly known as the Privacy
16 Act), and regulations implementing that section.

17 SEC. 733. (a) IN GENERAL.—None of the funds ap-
18 propriated or otherwise made available by this or any
19 other Act may be used for any Federal Government con-
20 tract with any foreign incorporated entity which is treated
21 as an inverted domestic corporation under section 835(b)
22 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
23 or any subsidiary of such an entity.

24 (b) WAIVERS.—

1 (1) IN GENERAL.—Any Secretary shall waive
2 subsection (a) with respect to any Federal Govern-
3 ment contract under the authority of such Secretary
4 if the Secretary determines that the waiver is re-
5 quired in the interest of national security.

6 (2) REPORT TO CONGRESS.—Any Secretary
7 issuing a waiver under paragraph (1) shall report
8 such issuance to Congress.

9 (c) EXCEPTION.—This section shall not apply to any
10 Federal Government contract entered into before the date
11 of the enactment of this Act, or to any task order issued
12 pursuant to such contract.

13 SEC. 734. During fiscal year 2022, for each employee
14 who—

15 (1) retires under section 8336(d)(2) or
16 8414(b)(1)(B) of title 5, United States Code; or

17 (2) retires under any other provision of sub-
18 chapter III of chapter 83 or chapter 84 of such title
19 5 and receives a payment as an incentive to sepa-
20 rate, the separating agency shall remit to the Civil
21 Service Retirement and Disability Fund an amount
22 equal to the Office of Personnel Management's aver-
23 age unit cost of processing a retirement claim for
24 the preceding fiscal year. Such amounts shall be
25 available until expended to the Office of Personnel

1 Management and shall be deemed to be an adminis-
2 trative expense under section 8348(a)(1)(B) of title
3 5, United States Code.

4 SEC. 735. None of the funds made available in this
5 or any other Act may be used to pay for the painting of
6 a portrait of an officer or employee of the Federal govern-
7 ment, including the President, the Vice President, a mem-
8 ber of Congress (including a Delegate or a Resident Com-
9 missioner to Congress), the head of an executive branch
10 agency (as defined in section 133 of title 41, United States
11 Code), or the head of an office of the legislative branch.

12 SEC. 736. (a)(1) Notwithstanding any other provision
13 of law, and except as otherwise provided in this section,
14 no part of any of the funds appropriated for fiscal year
15 2022, by this or any other Act, may be used to pay any
16 prevailing rate employee described in section
17 5342(a)(2)(A) of title 5, United States Code—

18 (A) during the period from the date of expira-
19 tion of the limitation imposed by the comparable sec-
20 tion for the previous fiscal years until the normal ef-
21 fective date of the applicable wage survey adjust-
22 ment that is to take effect in fiscal year 2022, in an
23 amount that exceeds the rate payable for the appli-
24 cable grade and step of the applicable wage schedule
25 in accordance with such section; and

1 (B) during the period consisting of the remain-
2 der of fiscal year 2022, in an amount that exceeds,
3 as a result of a wage survey adjustment, the rate
4 payable under subparagraph (A) by more than the
5 sum of—

6 (i) the percentage adjustment taking effect
7 in fiscal year 2022 under section 5303 of title
8 5, United States Code, in the rates of pay
9 under the General Schedule; and

10 (ii) the difference between the overall aver-
11 age percentage of the locality-based com-
12 parability payments taking effect in fiscal year
13 2022 under section 5304 of such title (whether
14 by adjustment or otherwise), and the overall av-
15 erage percentage of such payments which was
16 effective in the previous fiscal year under such
17 section.

18 (2) Notwithstanding any other provision of law, no
19 prevailing rate employee described in subparagraph (B) or
20 (C) of section 5342(a)(2) of title 5, United States Code,
21 and no employee covered by section 5348 of such title,
22 may be paid during the periods for which paragraph (1)
23 is in effect at a rate that exceeds the rates that would
24 be payable under paragraph (1) were paragraph (1) appli-
25 cable to such employee.

1 (3) For the purposes of this subsection, the rates pay-
2 able to an employee who is covered by this subsection and
3 who is paid from a schedule not in existence on September
4 30, 2021, shall be determined under regulations pre-
5 scribed by the Office of Personnel Management.

6 (4) Notwithstanding any other provision of law, rates
7 of premium pay for employees subject to this subsection
8 may not be changed from the rates in effect on September
9 30, 2021, except to the extent determined by the Office
10 of Personnel Management to be consistent with the pur-
11 pose of this subsection.

12 (5) This subsection shall apply with respect to pay
13 for service performed after September 30, 2021.

14 (6) For the purpose of administering any provision
15 of law (including any rule or regulation that provides pre-
16 mium pay, retirement, life insurance, or any other em-
17 ployee benefit) that requires any deduction or contribu-
18 tion, or that imposes any requirement or limitation on the
19 basis of a rate of salary or basic pay, the rate of salary
20 or basic pay payable after the application of this sub-
21 section shall be treated as the rate of salary or basic pay.

22 (7) Nothing in this subsection shall be considered to
23 permit or require the payment to any employee covered
24 by this subsection at a rate in excess of the rate that would
25 be payable were this subsection not in effect.

1 (8) The Office of Personnel Management may provide
2 for exceptions to the limitations imposed by this sub-
3 section if the Office determines that such exceptions are
4 necessary to ensure the recruitment or retention of quali-
5 fied employees.

6 (b) Notwithstanding subsection (a), the adjustment
7 in rates of basic pay for the statutory pay systems that
8 take place in fiscal year 2022 under sections 5344 and
9 5348 of title 5, United States Code, shall be—

- 10 (1) not less than the percentage received by em-
11 ployees in the same location whose rates of basic pay
12 are adjusted pursuant to the statutory pay systems
13 under sections 5303 and 5304 of title 5, United
14 States Code: *Provided*, That prevailing rate employ-
15 ees at locations where there are no employees whose
16 pay is increased pursuant to sections 5303 and 5304
17 of title 5, United States Code, and prevailing rate
18 employees described in section 5343(a)(5) of title 5,
19 United States Code, shall be considered to be located
20 in the pay locality designated as “Rest of United
21 States” pursuant to section 5304 of title 5, United
22 States Code, for purposes of this subsection; and
- 23 (2) effective as of the first day of the first ap-
24 plicable pay period beginning after September 30,
25 2021.

1 SEC. 737. (a) The head of any Executive branch de-
2 partment, agency, board, commission, or office funded by
3 this or any other appropriations Act shall submit annual
4 reports to the Inspector General or senior ethics official
5 for any entity without an Inspector General, regarding the
6 costs and contracting procedures related to each con-
7 ference held by any such department, agency, board, com-
8 mission, or office during fiscal year 2022 for which the
9 cost to the United States Government was more than
10 \$100,000.

11 (b) Each report submitted shall include, for each con-
12 ference described in subsection (a) held during the applica-
13 ble period—

14 (1) a description of its purpose;

15 (2) the number of participants attending;

16 (3) a detailed statement of the costs to the
17 United States Government, including—

18 (A) the cost of any food or beverages;

19 (B) the cost of any audio-visual services;

20 (C) the cost of employee or contractor
21 travel to and from the conference; and

22 (D) a discussion of the methodology used
23 to determine which costs relate to the con-
24 ference; and

1 (4) a description of the contracting procedures
2 used including—

3 (A) whether contracts were awarded on a
4 competitive basis; and

5 (B) a discussion of any cost comparison
6 conducted by the departmental component or
7 office in evaluating potential contractors for the
8 conference.

9 (c) Within 15 days after the end of a quarter, the
10 head of any such department, agency, board, commission,
11 or office shall notify the Inspector General or senior ethics
12 official for any entity without an Inspector General, of the
13 date, location, and number of employees attending a con-
14 ference held by any Executive branch department, agency,
15 board, commission, or office funded by this or any other
16 appropriations Act during fiscal year 2022 for which the
17 cost to the United States Government was more than
18 \$20,000.

19 (d) A grant or contract funded by amounts appro-
20 priated by this or any other appropriations Act may not
21 be used for the purpose of defraying the costs of a con-
22 ference described in subsection (c) that is not directly and
23 programmatically related to the purpose for which the
24 grant or contract was awarded, such as a conference held
25 in connection with planning, training, assessment, review,

1 or other routine purposes related to a project funded by
2 the grant or contract.

3 (e) None of the funds made available in this or any
4 other appropriations Act may be used for travel and con-
5 ference activities that are not in compliance with Office
6 of Management and Budget Memorandum M-12-12
7 dated May 11, 2012 or any subsequent revisions to that
8 memorandum.

9 SEC. 738. None of the funds made available in this
10 or any other appropriations Act may be used to increase,
11 eliminate, or reduce funding for a program, project, or ac-
12 tivity as proposed in the President's budget request for
13 a fiscal year until such proposed change is subsequently
14 enacted in an appropriation Act, or unless such change
15 is made pursuant to the reprogramming or transfer provi-
16 sions of this or any other appropriations Act.

17 SEC. 739. None of the funds made available by this
18 or any other Act may be used to implement, administer,
19 enforce, or apply the rule entitled "Competitive Area"
20 published by the Office of Personnel Management in the
21 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
22 et seq.).

23 SEC. 740. None of the funds appropriated or other-
24 wise made available by this or any other Act may be used
25 to begin or announce a study or public-private competition

1 regarding the conversion to contractor performance of any
2 function performed by Federal employees pursuant to Of-
3 fice of Management and Budget Circular A-76 or any
4 other administrative regulation, directive, or policy.

5 SEC. 741. (a) None of the funds appropriated or oth-
6 erwise made available by this or any other Act may be
7 available for a contract, grant, or cooperative agreement
8 with an entity that requires employees or contractors of
9 such entity seeking to report fraud, waste, or abuse to sign
10 internal confidentiality agreements or statements prohib-
11 iting or otherwise restricting such employees or contrac-
12 tors from lawfully reporting such waste, fraud, or abuse
13 to a designated investigative or law enforcement represent-
14 ative of a Federal department or agency authorized to re-
15 ceive such information.

16 (b) The limitation in subsection (a) shall not con-
17 travene requirements applicable to Standard Form 312,
18 Form 4414, or any other form issued by a Federal depart-
19 ment or agency governing the nondisclosure of classified
20 information.

21 SEC. 742. (a) No funds appropriated in this or any
22 other Act may be used to implement or enforce the agree-
23 ments in Standard Forms 312 and 4414 of the Govern-
24 ment or any other nondisclosure policy, form, or agree-
25 ment if such policy, form, or agreement does not contain

1 the following provisions: “These provisions are consistent
2 with and do not supersede, conflict with, or otherwise alter
3 the employee obligations, rights, or liabilities created by
4 existing statute or Executive order relating to (1) classi-
5 fied information, (2) communications to Congress, (3) the
6 reporting to an Inspector General of a violation of any
7 law, rule, or regulation, or mismanagement, a gross waste
8 of funds, an abuse of authority, or a substantial and spe-
9 cific danger to public health or safety, or (4) any other
10 whistleblower protection. The definitions, requirements,
11 obligations, rights, sanctions, and liabilities created by
12 controlling Executive orders and statutory provisions are
13 incorporated into this agreement and are controlling.”:
14 *Provided*, That notwithstanding the preceding provision of
15 this section, a nondisclosure policy form or agreement that
16 is to be executed by a person connected with the conduct
17 of an intelligence or intelligence-related activity, other
18 than an employee or officer of the United States Govern-
19 ment, may contain provisions appropriate to the particular
20 activity for which such document is to be used. Such form
21 or agreement shall, at a minimum, require that the person
22 will not disclose any classified information received in the
23 course of such activity unless specifically authorized to do
24 so by the United States Government. Such nondisclosure
25 forms shall also make it clear that they do not bar disclo-

1 sures to Congress, or to an authorized official of an execu-
2 tive agency or the Department of Justice, that are essen-
3 tial to reporting a substantial violation of law.

4 (b) A nondisclosure agreement may continue to be
5 implemented and enforced notwithstanding subsection (a)
6 if it complies with the requirements for such agreement
7 that were in effect when the agreement was entered into.

8 (c) No funds appropriated in this or any other Act
9 may be used to implement or enforce any agreement en-
10 tered into during fiscal year 2014 which does not contain
11 substantially similar language to that required in sub-
12 section (a).

13 SEC. 743. None of the funds made available by this
14 or any other Act may be used to enter into a contract,
15 memorandum of understanding, or cooperative agreement
16 with, make a grant to, or provide a loan or loan guarantee
17 to, any corporation that has any unpaid Federal tax liabil-
18 ity that has been assessed, for which all judicial and ad-
19 ministrative remedies have been exhausted or have lapsed,
20 and that is not being paid in a timely manner pursuant
21 to an agreement with the authority responsible for col-
22 lecting the tax liability, where the awarding agency is
23 aware of the unpaid tax liability, unless a Federal agency
24 has considered suspension or debarment of the corporation

1 and has made a determination that this further action is
2 not necessary to protect the interests of the Government.

3 SEC. 744. None of the funds made available by this
4 or any other Act may be used to enter into a contract,
5 memorandum of understanding, or cooperative agreement
6 with, make a grant to, or provide a loan or loan guarantee
7 to, any corporation that was convicted of a felony criminal
8 violation under any Federal law within the preceding 24
9 months, where the awarding agency is aware of the conviction,
10 unless a Federal agency has considered suspension
11 or debarment of the corporation and has made a determination
12 that this further action is not necessary to protect
13 the interests of the Government.

14 SEC. 745. (a) During fiscal year 2022, on the date
15 on which a request is made for a transfer of funds in accordance
16 with section 1017 of Public Law 111–203, the
17 Bureau of Consumer Financial Protection shall notify the
18 Committees on Appropriations of the House of Representatives
19 and the Senate, the Committee on Financial Services
20 of the House of Representatives, and the Committee
21 on Banking, Housing, and Urban Affairs of the Senate
22 of such request.

23 (b) Any notification required by this section shall be
24 made available on the Bureau’s public Web site.

1 SEC. 746. (a) Notwithstanding the official rate ad-
2 justed under section 104 of title 3, United States Code,
3 the rate payable to the Vice President during calendar
4 year 2022 shall be the rate payable to the Vice President
5 on December 31, 2021, by operation of section 748 of divi-
6 sion E of Public Law 116–260.

7 (b) Notwithstanding the official rate adjusted under
8 section 5318 of title 5, United States Code, or any other
9 provision of law, the payable rate during calendar year
10 2022 for an employee serving in an Executive Schedule
11 position, or in a position for which the rate of pay is fixed
12 by statute at an Executive Schedule rate, shall be the rate
13 payable for the applicable Executive Schedule level on De-
14 cember 31, 2021, by operation of section 748 of division
15 E of Public Law 116–260. Such an employee may not re-
16 ceive a pay rate increase during calendar year 2022, ex-
17 cept as provided in subsection (i).

18 (c) Notwithstanding section 401 of the Foreign Serv-
19 ice Act of 1980 (Public Law 96–465) or any other provi-
20 sion of law, a chief of mission or ambassador at large is
21 subject to subsection (b) in the same manner as other em-
22 ployees who are paid at an Executive Schedule rate.

23 (d)(1) This subsection applies to—

24 (A) a noncareer appointee in the Senior
25 Executive Service paid a rate of basic pay at or

1 above the official rate for level IV of the Execu-
2 tive Schedule; or

3 (B) a limited term appointee or limited
4 emergency appointee in the Senior Executive
5 Service serving under a political appointment
6 and paid a rate of basic pay at or above the of-
7 ficial rate for level IV of the Executive Sched-
8 ule.

9 (2) Notwithstanding sections 5382 and 5383 of
10 title 5, United States Code, an employee described
11 in paragraph (1) may not receive a pay rate increase
12 during calendar year 2022, except as provided in
13 subsection (i).

14 (e) Notwithstanding any other provision of law, any
15 employee paid a rate of basic pay (including any locality-
16 based payments under section 5304 of title 5, United
17 States Code, or similar authority) at or above the official
18 rate for level IV of the Executive Schedule who serves
19 under a political appointment may not receive a pay rate
20 increase during calendar year 2022, except as provided in
21 subsection (i). This subsection does not apply to employees
22 in the General Schedule pay system or the Foreign Service
23 pay system, to employees appointed under section 3161
24 of title 5, United States Code, or to employees in another
25 pay system whose position would be classified at GS-15

1 or below if chapter 51 of title 5, United States Code, ap-
2 plied to them.

3 (f) Nothing in subsections (b) through (e) shall pre-
4 vent employees who do not serve under a political appoint-
5 ment from receiving pay increases as otherwise provided
6 under applicable law.

7 (g) This section does not apply to an individual who
8 makes an election to retain Senior Executive Service basic
9 pay under section 3392(c) of title 5, United States Code,
10 for such time as that election is in effect.

11 (h) This section does not apply to an individual who
12 makes an election to retain Senior Foreign Service pay
13 entitlements under section 302(b) of the Foreign Service
14 Act of 1980 (Public Law 96–465) for such time as that
15 election is in effect.

16 (i) Notwithstanding subsections (b) through (e), an
17 employee in a covered position may receive a pay rate in-
18 crease upon an authorized movement to a different cov-
19 ered position only if that new position has higher-level du-
20 ties and a pre-established level or range of pay higher than
21 the level or range for the position held immediately before
22 the movement. Any such increase must be based on the
23 rates of pay and applicable limitations on payable rates
24 of pay in effect on December 31, 2021, by operation of
25 section 748 of division E of Public Law 116–260.

1 (j) Notwithstanding any other provision of law, for
2 an individual who is newly appointed to a covered position
3 during the period of time subject to this section, the initial
4 pay rate shall be based on the rates of pay and applicable
5 limitations on payable rates of pay in effect on December
6 31, 2021, by operation of section 748 of division E of Pub-
7 lic Law 116–260.

8 (k) If an employee affected by this section is subject
9 to a biweekly pay period that begins in calendar year 2022
10 but ends in calendar year 2023, the bar on the employee’s
11 receipt of pay rate increases shall apply through the end
12 of that pay period.

13 (l) For the purpose of this section, the term “covered
14 position” means a position occupied by an employee whose
15 pay is restricted under this section.

16 (m) This section takes effect on the first day of the
17 first applicable pay period beginning on or after January
18 1, 2022.

19 SEC. 747. During the current fiscal year— (a) with
20 respect to budget authority proposed to be rescinded or
21 that is set to be reserved or proposed to be deferred in
22 a special message transmitted under section 1012 or 1013
23 of the Congressional Budget and Impoundment Control
24 Act of 1974, such budget authority—

1 (1) shall be made available for obligation in suf-
2 ficient time to be prudently obligated as required
3 under section 1012(b) or 1013 of such Act; and

4 (2) may not be deferred or otherwise withheld
5 from obligation during the 90-day period before the
6 expiration of the period of availability of such budget
7 authority, including, if applicable, the 90-day period
8 before the expiration of an initial period of avail-
9 ability for which such budget authority was pro-
10 vided.

11 (b) With respect to an apportionment of an appro-
12 priation made pursuant to section 1513(b) of title 31,
13 United States Code, an appropriation (as that term is de-
14 fined in section 1511 of title 31, United States Code) shall
15 be apportioned—

16 (1) to make available all amounts for obligation
17 in sufficient time to be prudently obligated; and

18 (2) to make available all amounts for obligation,
19 without precondition (including footnotes) that shall
20 be met prior to obligation, not later than 90 days be-
21 fore the expiration of the period of availability of
22 such appropriation, including, if applicable, 90 days
23 before the expiration of an initial period of avail-
24 ability for which such appropriation was provided.

1 (c) As used in this section, the term “budget author-
2 ity” includes budget authority made available by this or
3 any other Act, by prior appropriations Acts, or by any law
4 other than an appropriations Act.

5 (d)(1) The Comptroller General shall review compli-
6 ance with this section and shall submit to the Committees
7 on Appropriations and the Budget, and any other appro-
8 priate congressional committees of the House of Rep-
9 resentatives and Senate a report, and any relevant infor-
10 mation related to the report, on any noncompliance with
11 this section or the Impoundment Control Act of 1974.

12 (2) The President or the head of the relevant depart-
13 ment or agency of the United States shall provide informa-
14 tion, documentation, and views to the Comptroller Gen-
15 eral, as is determined by the Comptroller General to be
16 necessary to determine such compliance, not later than 20
17 days after the date on which the request from the Comp-
18 troller General is received, or if the Comptroller General
19 determines that a shorter or longer period is appropriate
20 based on the specific circumstances, within such shorter
21 or longer period.

22 (3) To carry out the responsibilities of this section
23 and the Impoundment Control Act of 1974, the Comp-
24 troller General shall also have access to interview the offi-
25 cers, employees, contractors, and other agents and rep-

1 representatives of a department, agency, or office of the
2 United States at any reasonable time as the Comptroller
3 General may request.

4 (e)(1) An officer or employee of the Executive Branch
5 of the United States Government violating this section
6 shall be subject to appropriate administrative discipline in-
7 cluding, when circumstances warrant, suspension from
8 duty without pay or removal from office.

9 (2) In the event of a violation of this section or the
10 Impoundment Control Act of 1974, or in the case that
11 the Government Accountability Office issues a legal deci-
12 sion concluding that a department, agency, or office of the
13 United States violated this section or the Impoundment
14 Control Act of 1974, the President or the head of the rel-
15 evant department or agency as the case may be, shall re-
16 port immediately to the Congress all relevant facts and
17 a statement of actions taken: *Provided*, That a copy of
18 each report shall also be transmitted to the Comptroller
19 General and the relevant inspector general on the same
20 date the report is transmitted to the Congress.

21 (3) Any such report shall include a summary of the
22 facts pertaining to the violation, the title and Treasury
23 Appropriation Fund Symbol of the appropriation or fund
24 account, the amount involved for each violation, the date
25 on which the violation occurred, the position of any indi-

1 individuals responsible for the violation, a statement of the
2 administrative discipline imposed and any further action
3 taken with respect to any officer or employee involved in
4 the violation, a statement of any additional action taken
5 to prevent recurrence of the same type of violation, and
6 any written response by any officer or employee identified
7 by position as involved in the violation: *Provided*, That in
8 the case that the Government Accountability Office issues
9 a legal decision concluding that a department, agency, or
10 office of the United States violated this section and the
11 relevant department, agency, or office does not agree that
12 a violation has occurred, the report provided to Congress,
13 the Comptroller General, and relevant inspector general
14 will explain such department, agency, or office's position.

15 SEC. 748. (a) If an executive agency or the District
16 of Columbia government receives a written request for in-
17 formation, documentation, or views from the Government
18 Accountability Office relating to a decision or opinion on
19 budget or appropriations law, the executive agency or the
20 District of Columbia government shall provide the re-
21 quested information, documentation, or views not later
22 than 20 days after receiving the written request, unless
23 such written request specifically provides otherwise.

24 (b) If an executive agency or the District of Columbia
25 government fails to respond to the request for information,

1 documentation, or views within the time required by this
2 section—

3 (1) the Comptroller General shall notify, in
4 writing, the Committee on Oversight and Reform of
5 the House of Representatives, the Committee on
6 Homeland Security and Governmental Affairs of the
7 Senate, and any other appropriate congressional
8 committee of the House of Representatives and the
9 Senate of such failure; and

10 (2) the Comptroller General is hereby expressly
11 empowered, through attorneys of their own selection,
12 to bring a civil action in the United States District
13 Court for the District of Columbia to require such
14 information, documentation, or views to be pro-
15 duced, and such court is expressly empowered to
16 enter in such civil action, against any department,
17 agency, officer, or employee of the United States,
18 any decree, judgment, or order which may be nec-
19 essary or appropriate to require such production.

20 (c) If the Government Accountability Office deter-
21 mines that an officer or employee of an executive agency
22 or an officer or employee of the District of Columbia gov-
23 ernment has violated section 1341(a), 1342, or 1517(a)
24 of title 31, United States Code, the head of the agency
25 or the Mayor of the District of Columbia, as the case may

1 be, shall report immediately to the President and Congress
2 all relevant facts and a statement of actions taken: *Pro-*
3 *vided*, That a copy of each report shall also be transmitted
4 to the Comptroller General on the same date the report
5 is transmitted to the President and Congress: *Provided*
6 *further*, That in the case that the Government Account-
7 ability Office issues a legal decision concluding that sec-
8 tion 1341(a), 1342, or 1517(a) of title 31, United States
9 Code was violated, and the executive agency or District
10 of Columbia government, as applicable, does not agree
11 that a violation has occurred, the report provided to the
12 President, the Congress, and the Comptroller General will
13 explain its position.

14 (d) The report required by subsection (c) and any re-
15 port required by section 1351 or section 1517(b) of title
16 31, United States Code, shall include a summary of the
17 facts pertaining to the violation, the title and Treasury
18 Appropriation Fund Symbol of the appropriation or fund
19 account, the amount involved for each violation, the date
20 on which the violation occurred, the position of any officer
21 or employee responsible for the violation, a statement of
22 the administrative discipline imposed and any further ac-
23 tion taken with respect to any officer or employee involved
24 in the violation, a statement of any additional action taken
25 to prevent recurrence of the same type of violation, a

1 statement of any determination that the violation was not
2 knowing and willful that has been made by the executive
3 agency or District of Columbia government, and any writ-
4 ten response by any officer or employee identified by posi-
5 tion as involved in the violation.

6 SEC. 749. (a) Each department or agency of the exec-
7 utive branch of the United States Government shall notify
8 the Committees on Appropriations and the Budget of the
9 House of Representatives and the Senate and any other
10 appropriate congressional committees if—

11 (1) an apportionment is not made in the re-
12 quired time period provided in section 1513(b) of
13 title 31, United States Code;

14 (2) an approved apportionment received by the
15 department or agency conditions the availability of
16 an appropriation on further action; or

17 (3) an approved apportionment received by the
18 department or agency may hinder the prudent obli-
19 gation of such appropriation or the execution of a
20 program, project, or activity by such department or
21 agency.

22 (b) Any notification submitted to a congressional
23 committee pursuant to this section shall contain informa-
24 tion identifying the bureau, account name, appropriation

1 name, and Treasury Appropriation Fund Symbol or fund
2 account.

3 SEC. 750. None of the funds made available by this
4 or any other Act may be used to prevent Federal workers
5 from—

6 (1) using official time for union activities;

7 (2) teleworking for telework deemed positions
8 or when the health or safety of an employee is in
9 question; or

10 (3) using space in Federal buildings for union
11 activities.

12 SEC. 751. (a) ESTABLISHMENT.—There is hereby es-
13 tablished the Commission on Federal Naming and Dis-
14 plays (hereafter referred to as the “Commission”).

15 (b) DUTIES.—

16 (1) DEVELOPMENT OF LIST.—Not later than
17 180 days after the day by which all of its members
18 have been appointed, the Commission, with input
19 from the general public, shall develop and publish a
20 list of property names, monuments, statues, public
21 artworks, historical markers, and other symbols
22 owned by the Federal government or located on
23 property owned by the Federal government (includ-
24 ing the legislative branch and the judicial branch)
25 which the Commission identifies as inconsistent with

1 the values of diversity, equity, and inclusion, includ-
2 ing those that do not represent the demographic di-
3 versity and history of the community.

4 (2) RECOMMENDATIONS.—Not later than 180
5 days after publishing the list under paragraph (1),
6 and after holding not fewer than two public meet-
7 ings, the Commission shall submit to the President
8 and Congress a report containing the following in-
9 formation:

10 (A) A recommendation regarding whether
11 each property name, monument, statue, public
12 artwork, historical marker, or other symbol on
13 the list developed under paragraph (1) should
14 remain unchanged or should be renamed or re-
15 moved.

16 (B) Supporting materials and context in-
17 formation for each recommendation under sub-
18 paragraph (A).

19 (C) Such other recommendations as the
20 Commission may consider appropriate, includ-
21 ing recommendations for educational programs,
22 supplemental historical markers, or other activi-
23 ties to promote diversity, equity, and inclusion
24 and to promote national reconciliation.

1 (3) SEPARATE VIEWS OF MEMBERS.—The Com-
2 mission may include in the report submitted under
3 paragraph (2) supplemental or dissenting rec-
4 ommendations from individual members of the Com-
5 mission.

6 (c) MEMBERSHIP.—

7 (1) APPOINTMENT.—The Commission shall con-
8 sist of the following:

9 (A) Two members appointed by the Presi-
10 dent.

11 (B) Two members appointed by the Speak-
12 er of the House of Representatives.

13 (C) Two members appointed by the Major-
14 ity Leader of the Senate.

15 (D) One member appointed by the Minor-
16 ity Leader of the House of Representatives.

17 (E) One member appointed by the Minor-
18 ity Leader of the Senate.

19 (F) Each of the following individuals:

20 (i) The Secretary of the Smithsonian
21 Institution.

22 (ii) The Historian of the House of
23 Representatives.

24 (iii) The Historian of the Senate.

1 (2) QUALIFICATIONS.—Each member of the
2 Commission appointed under subparagraphs (A)
3 through (E) of paragraph (1) shall have 10 or more
4 years of educational and professional experience in
5 one or more of the following disciplines:

6 (A) History.

7 (B) Art and antiquities.

8 (C) Historic preservation.

9 (D) Cultural heritage.

10 (E) Education.

11 (3) NO COMPENSATION FOR SERVICE; TRAVEL
12 EXPENSES.—Members of the Commission shall serve
13 without pay, but each member shall receive travel
14 expenses, including per diem in lieu of subsistence,
15 in accordance with applicable provisions under sub-
16 chapter I of chapter 57 of title 5, United States
17 Code.

18 (4) DEADLINE FOR APPOINTMENT.—The mem-
19 bers of the Commission shall be appointed not later
20 than 45 days after the date of the enactment of this
21 Act.

22 (5) CO-CHAIRS.—Not later than 10 days after
23 the first meeting of the Commission, the members of
24 the Commission shall select two co-chairs from
25 among the members.

1 (d) POWERS.—

2 (1) HEARINGS AND SESSIONS.—The Commis-
3 sion may, for the purpose of carrying out this Act,
4 hold hearings, sit and act at times and places, take
5 testimony, and receive evidence as the Commission
6 considers appropriate, except that the Commission
7 shall hold its initial meeting not later than 10 days
8 after the day by which all of its members have been
9 appointed.

10 (2) OBTAINING OFFICIAL DATA.—The Commis-
11 sion may secure directly from any department or
12 agency of the United States information necessary
13 to enable it to carry out its duties. Upon request of
14 the Commission, the head of that department or
15 agency shall furnish that information to the Com-
16 mission.

17 (3) MAILS.—The Commission may use the
18 United States mails in the same manner and under
19 the same conditions as other departments and agen-
20 cies of the United States.

21 (4) ADMINISTRATIVE SUPPORT SERVICES.—
22 Upon the request of the Commission, the Librarian
23 of Congress shall provide to the Commission, on a
24 reimbursable basis, the administrative support serv-

1 ices necessary for the Commission to carry out its
2 duties.

3 (5) STAFF OF FEDERAL AGENCIES.—Upon the
4 request of the Commission, the head of any Federal
5 department or agency may detail any of the per-
6 sonnel of that department or agency to the Commis-
7 sion to assist it in carrying out its duties. Any per-
8 sonnel detailed to the Commission under this para-
9 graph may receive travel expenses, including per
10 diem in lieu of subsistence, in accordance with appli-
11 cable provisions under subchapter I of chapter 57 of
12 title 5, United States Code.

13 (6) CONTRACT AUTHORITY.—The Commission
14 may contract with and compensate government and
15 private agencies or persons for goods and services,
16 without regard to section 6101 of title 41, United
17 States Code.

18 (e) FUNDING.—There is appropriated to carry out
19 this section \$1,500,000, to remain available until ex-
20 pended.

21 (f) TERMINATION.—The Commission shall terminate
22 60 days after submitting the report under subsection
23 (b)(2).

24 SEC. 752. Notwithstanding section 1346 of title 31,
25 United States Code, or section 708 of this Act, funds

1 made available by this or any other Act to any Federal
2 agency may be used by that Federal agency for inter-
3 agency funding for coordination with, participation in, or
4 recommendations involving, activities of the U.S. Army
5 Medical Research and Development Command, the Con-
6 gressionally Directed Medical Research Programs and the
7 National Institutes of Health research programs.

8 SEC. 753. Section 15010(a)(6) of division B of the
9 Coronavirus Aid, Relief, and Economic Security Act (Pub-
10 lic Law 116–136) is amended—

11 (1) in subparagraph (D), by striking “or”;

12 (2) in subparagraph (E), by striking “; and”
13 and inserting “; or”; and

14 (3) by inserting after subparagraph (E), the
15 following:

16 “(F) the American Rescue Plan Act of
17 2021 (Public Law 117–2); and”.

18 SEC. 754. (a) As a condition of receiving funds pro-
19 vided in this or any other appropriations Act for fiscal
20 year 2022 that are specified in the disclosure table sub-
21 mitted in compliance with clause 9 of rule XXI of the
22 Rules of the House of Representatives that is included in
23 the report or explanatory statement accompanying any
24 such Act, any non-Federal entity shall, to the extent prac-
25 ticable—

1 (1) retain until the date that is 3 years after the date
2 on which such entity has expended such funds any records
3 related to the planned or actual obligation or expenditure
4 of such funds, and make available any such records to the
5 Comptroller General of the United States, upon request;
6 and

7 (2) subject to reasonable advance notification by the
8 Comptroller General—

9 (A) make available to the Comptroller General
10 or their designee for interview, any officers, employ-
11 ees, or staff of such entity involved in the obligation
12 or expenditure of such funds; and

13 (B) grant access to the Comptroller General or
14 their designee for inspection, any facilities, work
15 sites, offices, or other locations, as the Comptroller
16 General deems necessary, at which the individuals
17 referenced in subparagraph (A) carry out their re-
18 sponsibilities related to such funds. The Comptroller
19 General may make and retain copies of these records
20 as the Comptroller General determines necessary.

21 (b) Access, rights, and authority provided to the
22 Comptroller General or their designee under this section
23 shall be in addition to any other authority vested in the
24 Comptroller General, and nothing in this section shall be

1 construed to limit, amend, supersede, or restrict in any
2 manner any existing authority of the Comptroller General.

3 SEC. 755. (a) Except as provided in subsection (b),
4 none of the funds made available by this Act may be used
5 to purchase remote computing services except remote com-
6 puting services determined by the Government to—

7 (1) not store or transmit images which depict appar-
8 ent violations of section 2251, 2251A, 2252, 2252A,
9 2252B, or 2260 of title 18, United States Code, with re-
10 spect to child pornography; and

11 (2) comply with the reporting requirements under
12 section 2258A of such title for such violations.

13 (b) The limitation in subsection (a) shall not apply
14 to such services used for bona fide law enforcement ac-
15 tions.

16 SEC. 756. Except as expressly provided otherwise,
17 any reference to “this Act” contained in any title other
18 than title IV or VIII shall not apply to such title IV or
19 VIII.

20 TITLE VIII
21 GENERAL PROVISIONS—DISTRICT OF
22 COLUMBIA
23

24 SEC. 801. None of the Federal funds provided under
25 this Act to the agencies funded by this Act, both Federal

1 and District government agencies, that remain available
2 for obligation or expenditure in fiscal year 2022, or pro-
3 vided from any accounts in the Treasury of the United
4 States derived by the collection of fees available to the
5 agencies funded by this Act, shall be available for obliga-
6 tion or expenditures for an agency through a reprogram-
7 ming of funds which—

8 (1) creates new programs;

9 (2) eliminates a program, project, or responsi-
10 bility center;

11 (3) establishes or changes allocations specifi-
12 cally denied, limited or increased under this Act;

13 (4) increases funds or personnel by any means
14 for any program, project, or responsibility center for
15 which funds have been denied or restricted;

16 (5) re-establishes any program or project pre-
17 viously deferred through reprogramming;

18 (6) augments any existing program, project, or
19 responsibility center through a reprogramming of
20 funds in excess of \$3,000,000 or 10 percent, which-
21 ever is less; or

22 (7) increases by 20 percent or more personnel
23 assigned to a specific program, project or responsi-
24 bility center,

1 unless prior approval is received from the Committees on
2 Appropriations of the House of Representatives and the
3 Senate.

4 SEC. 802. None of the Federal funds appropriated
5 in this Act shall remain available for obligation beyond
6 the current fiscal year, nor may any be transferred to
7 other appropriations, unless expressly so provided herein.

8 SEC. 803. Except as otherwise specifically provided
9 by law or under this Act, not to exceed 50 percent of unob-
10 ligated balances remaining available at the end of fiscal
11 year 2022 from appropriations of Federal funds made
12 available for salaries and expenses for fiscal year 2022 in
13 this Act, shall remain available through September 30,
14 2023, for each such account for the purposes authorized:
15 *Provided*, That a request shall be submitted to the Com-
16 mittees on Appropriations of the House of Representatives
17 and the Senate for approval prior to the expenditure of
18 such funds: *Provided further*, That these requests shall be
19 made in compliance with reprogramming guidelines out-
20 lined in section 801 of this Act.

21 SEC. 804. (a)(1) During fiscal year 2023, during a
22 period in which neither a District of Columbia continuing
23 resolution or a regular District of Columbia appropriation
24 bill is in effect, local funds are appropriated in the amount
25 provided for any project or activity for which local funds

1 are provided in the Act referred to in paragraph (2) (sub-
2 ject to any modifications enacted by the District of Colum-
3 bia as of the beginning of the period during which this
4 subsection is in effect) at the rate set forth by such Act.

5 (2) The Act referred to in this paragraph is the Act
6 of the Council of the District of Columbia pursuant to
7 which a proposed budget is approved for fiscal year 2023
8 which (subject to the requirements of the District of Co-
9 lumbia Home Rule Act) will constitute the local portion
10 of the annual budget for the District of Columbia govern-
11 ment for fiscal year 2023 for purposes of section 446 of
12 the District of Columbia Home Rule Act (sec. 1–204.46,
13 D.C. Official Code).

14 (b) Appropriations made by subsection (a) shall cease
15 to be available—

16 (1) during any period in which a District of Co-
17 lumbia continuing resolution for fiscal year 2023 is
18 in effect; or

19 (2) upon the enactment into law of the regular
20 District of Columbia appropriation bill for fiscal year
21 2023.

22 (c) An appropriation made by subsection (a) is pro-
23 vided under the authority and conditions as provided
24 under this Act and shall be available to the extent and
25 in the manner that would be provided by this Act.

1 (d) An appropriation made by subsection (a) shall
2 cover all obligations or expenditures incurred for such
3 project or activity during the portion of fiscal year 2023
4 for which this section applies to such project or activity.

5 (e) This section shall not apply to a project or activity
6 during any period of fiscal year 2023 if any other provi-
7 sion of law (other than an authorization of appropria-
8 tions)—

9 (1) makes an appropriation, makes funds avail-
10 able, or grants authority for such project or activity
11 to continue for such period; or

12 (2) specifically provides that no appropriation
13 shall be made, no funds shall be made available, or
14 no authority shall be granted for such project or ac-
15 tivity to continue for such period.

16 (f) Nothing in this section shall be construed to affect
17 obligations of the government of the District of Columbia
18 mandated by other law.

19 SEC. 805. (a) Section 3(c)(2)(G) of the District of
20 Columbia College Access Act of 1999 (sec. 38–
21 2702(c)(2)(G), D.C. Official Code) is amended to read as
22 follows:

23 “(G) is from a family with a taxable an-
24 nual income of less than the applicable family
25 income limit, as defined in paragraph (7).”.

1 (b) Section 3(c) of such Act (sec. 38–2702(c), D.C.
2 Official Code) is amended by adding at the end the fol-
3 lowing new paragraph:

4 “(7) APPLICABLE FAMILY INCOME LIMIT.—The
5 term ‘applicable family income limit’ means, with re-
6 spect to an individual, the following:

7 “(A) In the case of an individual who
8 began an undergraduate course of study prior
9 to school year 2015–2016, \$1,000,000.

10 “(B) In the case of an individual who be-
11 gins an undergraduate course of study in school
12 year 2016–2017, \$750,000.

13 “(C) In the case of an individual who be-
14 gins an undergraduate course of study in school
15 year 2017–2018 or school year 2018–2019, the
16 applicable family income limit under this para-
17 graph for an individual who began an under-
18 graduate course of study in the previous school
19 year, adjusted by the Mayor for inflation, as
20 measured by the percentage increase, if any,
21 from the preceding fiscal year in the Consumer
22 Price Index for All Urban Consumers, pub-
23 lished by the Bureau of Labor Statistics of the
24 Department of Labor.

1 “(D) In the case of an individual who be-
2 gins an undergraduate course of study in school
3 year 2019–2020, \$500,000.

4 “(E) In the case of an individual who be-
5 gins an undergraduate course of study in school
6 year 2020–2021, the amount described in sub-
7 paragraph (D), adjusted by the Mayor for infla-
8 tion, as measured by the percentage increase, if
9 any, from the preceding fiscal year in the Con-
10 sumer Price Index for All Urban Consumers,
11 published by the Bureau of Labor Statistics of
12 the Department of Labor.

13 “(F) In the case of an individual who be-
14 gins an undergraduate course of study in school
15 year 2021–2022, \$750,000.

16 “(G) In the case of an individual who be-
17 gins an undergraduate course of study in school
18 year 2022–2023 or any succeeding school year,
19 the applicable family income limit under this
20 paragraph for an individual who began an un-
21 dergraduate course of study in the previous
22 school year, adjusted by the Mayor for inflation,
23 as measured by the percentage increase, if any,
24 from the preceding fiscal year in the Consumer
25 Price Index for All Urban Consumers, pub-

1 lished by the Bureau of Labor Statistics of the
2 Department of Labor.”.

3 (c) The amendments made by this section shall take
4 effect as if included in the enactment of the Financial
5 Services and General Government Appropriations Act,
6 2019 (division D of Public Law 116–6).

7 SEC. 806. Nothing in this Act may be construed to
8 prevent the Council or Mayor of the District of Columbia
9 from addressing the issue of the provision of contraceptive
10 coverage by health insurance plans, but it is the intent
11 of Congress that any legislation enacted on such issue
12 should include a “conscience clause” which provides excep-
13 tions for religious beliefs and moral convictions.

14 SEC. 807. (a) Section 244 of the Revised Statutes
15 of the United States relating to the District of Columbia
16 (sec. 9–1201.03, D.C. Official Code) does not apply with
17 respect to any railroads installed pursuant to the Long
18 Bridge Project.

19 (b) In this section, the term “Long Bridge Project”
20 means the project carried out by the District of Columbia
21 and the Commonwealth of Virginia to construct a new
22 Long Bridge adjacent to the existing Long Bridge over
23 the Potomac River, including related infrastructure and
24 other related projects, to expand commuter and regional

1 passenger rail service and to provide bike and pedestrian
2 access crossings over the Potomac River.

3 SEC. 808. No services may be made available in ac-
4 cordance with section 740(a) of the District of Columbia
5 Home Rule Act (sec. 1–207.40(a), D.C. Official Code) at
6 any time during fiscal year 2022.

7 SEC. 809. Section 3 of the District of Columbia Col-
8 lege Access Act of 1999 (sec.38–2702, D.C. Official
9 Code), is amended—

10 (1) in subsection (a)(2)(A), by striking
11 “\$10,000” and inserting “\$15,000”;

12 (2) in subsection (a)(2)(B), by striking
13 “\$50,000” and inserting “\$75,000”;

14 (3) in subsection (b)(1)(A), by striking “and”
15 at the end;

16 (4) in subsection (b)(1), by redesignating sub-
17 paragraph (B) as subparagraph (C) and inserting
18 after subparagraph (A) the following new subpara-
19 graph; “(B) after making reductions under subpara-
20 graph (A), ratably reduce the amount of the tuition
21 and fee payment of each eligible student who re-
22 ceives more than \$10,000 for the award year; and”;
23 and

1 (5) in subparagraph (C) of subsection (b)(1), as
2 so redesignated, by striking “subparagraph (A)” and
3 inserting “subparagraphs (A) and (B)”.

4 SEC. 810. Except as expressly provided otherwise,
5 any reference to “this Act” contained in this title or in
6 title IV shall be treated as referring only to the provisions
7 of this title or of title IV.

8 This division may be cited as the “Financial Services
9 and General Government Appropriations Act, 2022”.

1 DIVISION E—DEPARTMENT OF THE INTE-
2 RIOR, ENVIRONMENT, AND RELATED
3 AGENCIES APPROPRIATIONS ACT, 2022

1 TITLE I
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF LAND MANAGEMENT
4 MANAGEMENT OF LANDS AND RESOURCES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for protection, use, improve-
7 ment, development, disposal, cadastral surveying, classi-
8 fication, acquisition of easements and other interests in
9 lands, and performance of other functions, including main-
10 tenance of facilities, as authorized by law, in the manage-
11 ment of lands and their resources under the jurisdiction
12 of the Bureau of Land Management, including the general
13 administration of the Bureau, and assessment of mineral
14 potential of public lands pursuant to section 1010(a) of
15 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,458,414,000,
16 to remain available until September 30, 2023; of which
17 \$78,724,000 for annual and deferred maintenance and
18 \$162,093,000 for the wild horse and burro program, as
19 authorized by Public Law 92–195 (16 U.S.C. 1331 et
20 seq.), shall remain available until expended: *Provided*,
21 That amounts in the fee account of the BLM Permit Proc-
22 essing Improvement Fund may be used for any bureau-
23 related expenses associated with the processing of oil and
24 gas applications for permits to drill and related use of au-
25 thorizations: *Provided further*, That the Bureau of Land

1 Management may accept transfers of funds from U.S.
2 Customs and Border Protection for mitigation activities,
3 including land acquisition, related to construction of bor-
4 der barriers on Federal lands.

5 In addition, \$39,696,000 is for Mining Law Adminis-
6 tration program operations, including the cost of admin-
7 istering the mining claim fee program, to remain available
8 until expended, to be reduced by amounts collected by the
9 Bureau and credited to this appropriation from mining
10 claim maintenance fees and location fees that are hereby
11 authorized for fiscal year 2022, so as to result in a final
12 appropriation estimated at not more than \$1,458,414,000,
13 and \$2,000,000, to remain available until expended, from
14 communication site rental fees established by the Bureau
15 for the cost of administering communication site activities.

16 OREGON AND CALIFORNIA GRANT LANDS

17 For expenses necessary for management, protection,
18 and development of resources and for construction, oper-
19 ation, and maintenance of access roads, reforestation, and
20 other improvements on the revested Oregon and California
21 Railroad grant lands, on other Federal lands in the Or-
22 egon and California land-grant counties of Oregon, and
23 on adjacent rights-of-way; and acquisition of lands or in-
24 terests therein, including existing connecting roads on or
25 adjacent to such grant lands; \$124,471,000, to remain

1 available until expended: *Provided*, That 25 percent of the
2 aggregate of all receipts during the current fiscal year
3 from the revested Oregon and California Railroad grant
4 lands is hereby made a charge against the Oregon and
5 California land-grant fund and shall be transferred to the
6 General Fund in the Treasury in accordance with the sec-
7 ond paragraph of subsection (b) of title II of the Act of
8 August 28, 1937 (43 U.S.C. 2605).

9 RANGE IMPROVEMENTS

10 For rehabilitation, protection, and acquisition of
11 lands and interests therein, and improvement of Federal
12 rangelands pursuant to section 401 of the Federal Land
13 Policy and Management Act of 1976 (43 U.S.C. 1751),
14 notwithstanding any other Act, sums equal to 50 percent
15 of all moneys received during the prior fiscal year under
16 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
17 315b, 315m) and the amount designated for range im-
18 provements from grazing fees and mineral leasing receipts
19 from Bankhead-Jones lands transferred to the Depart-
20 ment of the Interior pursuant to law, but not less than
21 \$10,000,000, to remain available until expended: *Pro-*
22 *vided*, That not to exceed \$600,000 shall be available for
23 administrative expenses.

1 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

2 For administrative expenses and other costs related
3 to processing application documents and other authoriza-
4 tions for use and disposal of public lands and resources,
5 for costs of providing copies of official public land docu-
6 ments, for monitoring construction, operation, and termi-
7 nation of facilities in conjunction with use authorizations,
8 and for rehabilitation of damaged property, such amounts
9 as may be collected under Public Law 94–579 (43 U.S.C.
10 1701 et seq.), and under section 28 of the Mineral Leasing
11 Act (30 U.S.C. 185), to remain available until expended:
12 *Provided*, That notwithstanding any provision to the con-
13 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
14 1735(a)), any moneys that have been or will be received
15 pursuant to that section, whether as a result of forfeiture,
16 compromise, or settlement, if not appropriate for refund
17 pursuant to section 305(c) of that Act (43 U.S.C.
18 1735(c)), shall be available and may be expended under
19 the authority of this Act by the Secretary of the Interior
20 to improve, protect, or rehabilitate any public lands ad-
21 ministered through the Bureau of Land Management
22 which have been damaged by the action of a resource de-
23 veloper, purchaser, permittee, or any unauthorized person,
24 without regard to whether all moneys collected from each
25 such action are used on the exact lands damaged which

1 led to the action: *Provided further*, That any such moneys
2 that are in excess of amounts needed to repair damage
3 to the exact land for which funds were collected may be
4 used to repair other damaged public lands.

5 MISCELLANEOUS TRUST FUNDS

6 In addition to amounts authorized to be expended
7 under existing laws, there is hereby appropriated such
8 amounts as may be contributed under section 307 of Pub-
9 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
10 may be advanced for administrative costs, surveys, ap-
11 praisals, and costs of making conveyances of omitted lands
12 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
13 remain available until expended.

14 ADMINISTRATIVE PROVISIONS

15 The Bureau of Land Management may carry out the
16 operations funded under this Act by direct expenditure,
17 contracts, grants, cooperative agreements, and reimburs-
18 able agreements with public and private entities, including
19 with States. Appropriations for the Bureau shall be avail-
20 able for purchase, erection, and dismantlement of tem-
21 porary structures, and alteration and maintenance of nec-
22 essary buildings and appurtenant facilities to which the
23 United States has title; up to \$100,000 for payments, at
24 the discretion of the Secretary, for information or evidence
25 concerning violations of laws administered by the Bureau;

1 miscellaneous and emergency expenses of enforcement ac-
2 tivities authorized or approved by the Secretary and to be
3 accounted for solely on the Secretary's certificate, not to
4 exceed \$10,000: *Provided*, That notwithstanding Public
5 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
6 operative cost-sharing and partnership arrangements au-
7 thorized by law, procure printing services from cooperators
8 in connection with jointly produced publications for which
9 the cooperators share the cost of printing either in cash
10 or in services, and the Bureau determines the cooperator
11 is capable of meeting accepted quality standards: *Provided*
12 *further*, That projects to be funded pursuant to a written
13 commitment by a State government to provide an identi-
14 fied amount of money in support of the project may be
15 carried out by the Bureau on a reimbursable basis.

16 UNITED STATES FISH AND WILDLIFE SERVICE

17 RESOURCE MANAGEMENT

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of the United States Fish and
20 Wildlife Service, as authorized by law, and for scientific
21 and economic studies, general administration, and for the
22 performance of other authorized functions related to such
23 resources, \$1,651,795,000 to remain available until Sep-
24 tember 30, 2023: *Provided*, That not to exceed
25 \$22,279,000 shall be used for implementing subsections

1 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
2 cies Act of 1973 (16 U.S.C. 1533) (except for processing
3 petitions, developing and issuing proposed and final regu-
4 lations, and taking any other steps to implement actions
5 described in subsection (c)(2)(A), (c)(2)(B)(i), or
6 (c)(2)(B)(ii)): *Provided further*, That the United States
7 Fish and Wildlife Service may accept transfers of funds
8 from U.S. Customs and Border Protection for mitigation
9 activities, including land acquisition, related to construc-
10 tion of border barriers on Federal lands.

11 CONSTRUCTION

12 For construction, improvement, acquisition, or re-
13 moval of buildings and other facilities required in the con-
14 servation, management, investigation, protection, and uti-
15 lization of fish and wildlife resources, and the acquisition
16 of lands and interests therein; \$34,620,000, to remain
17 available until expended.

18 COOPERATIVE ENDANGERED SPECIES CONSERVATION

19 FUND

20 For expenses necessary to carry out section 6 of the
21 Endangered Species Act of 1973 (16 U.S.C. 1535),
22 \$24,064,000, to remain available until expended, of which
23 \$24,064,000 is to be derived from the Cooperative Endan-
24 gered Species Conservation Fund.

1 NATIONAL WILDLIFE REFUGE FUND

2 For expenses necessary to implement the Act of Octo-
3 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

4 NORTH AMERICAN WETLANDS CONSERVATION FUND

5 For expenses necessary to carry out the provisions
6 of the North American Wetlands Conservation Act (16
7 U.S.C. 4401 et seq.), \$50,000,000, to remain available
8 until expended.

9 NEOTROPICAL MIGRATORY BIRD CONSERVATION

10 For expenses necessary to carry out the Neotropical
11 Migratory Bird Conservation Act (16 U.S.C. 6101 et
12 seq.), \$6,500,000, to remain available until expended.

13 MULTINATIONAL SPECIES CONSERVATION FUND

14 For expenses necessary to carry out the African Ele-
15 phant Conservation Act (16 U.S.C. 4201 et seq.), the
16 Asian Elephant Conservation Act of 1997 (16 U.S.C.
17 4261 et seq.), the Rhinoceros and Tiger Conservation Act
18 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
19 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
20 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
21 et seq.), \$22,000,000, to remain available until expended.

22 STATE AND TRIBAL WILDLIFE GRANTS

23 For wildlife conservation grants to States and to the
24 District of Columbia, Puerto Rico, Guam, the United
25 States Virgin Islands, the Northern Mariana Islands,

1 American Samoa, and Indian tribes under the provisions
2 of the Fish and Wildlife Act of 1956 and the Fish and
3 Wildlife Coordination Act, for the development and imple-
4 mentation of programs for the benefit of wildlife and their
5 habitat, including species that are not hunted or fished,
6 \$82,362,000, to remain available until expended: *Pro-*
7 *vided*, That of the amount provided herein, \$8,000,000 is
8 for a competitive grant program for Indian tribes not sub-
9 ject to the remaining provisions of this appropriation: *Pro-*
10 *vided further*, That \$10,362,000 is for a competitive grant
11 program to implement approved plans for States, terri-
12 tories, and other jurisdictions and at the discretion of af-
13 fected States, the regional Associations of fish and wildlife
14 agencies, not subject to the remaining provisions of this
15 appropriation: *Provided further*, That the Secretary shall,
16 after deducting \$18,362,000 and administrative expenses,
17 apportion the amount provided herein in the following
18 manner: (1) to the District of Columbia and to the Com-
19 monwealth of Puerto Rico, each a sum equal to not more
20 than one-half of 1 percent thereof; and (2) to Guam,
21 American Samoa, the United States Virgin Islands, and
22 the Commonwealth of the Northern Mariana Islands, each
23 a sum equal to not more than one-fourth of 1 percent
24 thereof: *Provided further*, That the Secretary of the Inte-
25 rior shall apportion the remaining amount in the following

1 manner: (1) one-third of which is based on the ratio to
2 which the land area of such State bears to the total land
3 area of all such States; and (2) two-thirds of which is
4 based on the ratio to which the population of such State
5 bears to the total population of all such States: *Provided*
6 *further*, That the amounts apportioned under this para-
7 graph shall be adjusted equitably so that no State shall
8 be apportioned a sum which is less than 1 percent of the
9 amount available for apportionment under this paragraph
10 for any fiscal year or more than 5 percent of such amount:
11 *Provided further*, That the Federal share of planning
12 grants shall not exceed 75 percent of the total costs of
13 such projects and the Federal share of implementation
14 grants shall not exceed 65 percent of the total costs of
15 such projects: *Provided further*, That the non-Federal
16 share of such projects may not be derived from Federal
17 grant programs: *Provided further*, That any amount ap-
18 portioned in 2022 to any State, territory, or other jurisdic-
19 tion that remains unobligated as of September 30, 2023,
20 shall be reapportioned, together with funds appropriated
21 in 2024, in the manner provided herein.

22 ADMINISTRATIVE PROVISIONS

23 The United States Fish and Wildlife Service may
24 carry out the operations of Service programs by direct ex-
25 penditure, contracts, grants, cooperative agreements and

1 reimbursable agreements with public and private entities.
2 Appropriations and funds available to the United States
3 Fish and Wildlife Service shall be available for repair of
4 damage to public roads within and adjacent to reservation
5 areas caused by operations of the Service; options for the
6 purchase of land at not to exceed one dollar for each op-
7 tion; facilities incident to such public recreational uses on
8 conservation areas as are consistent with their primary
9 purpose; and the maintenance and improvement of aquar-
10 ia, buildings, and other facilities under the jurisdiction of
11 the Service and to which the United States has title, and
12 which are used pursuant to law in connection with man-
13 agement, and investigation of fish and wildlife resources:
14 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
15 ice may, under cooperative cost sharing and partnership
16 arrangements authorized by law, procure printing services
17 from cooperators in connection with jointly produced pub-
18 lications for which the cooperators share at least one-half
19 the cost of printing either in cash or services and the Serv-
20 ice determines the cooperator is capable of meeting accept-
21 ed quality standards: *Provided further*, That the Service
22 may accept donated aircraft as replacements for existing
23 aircraft: *Provided further*, That notwithstanding 31 U.S.C.
24 3302, all fees collected for non-toxic shot review and ap-
25 proval shall be deposited under the heading “United

1 States Fish and Wildlife Service—Resource Management”
2 and shall be available to the Secretary, without further
3 appropriation, to be used for expenses of processing of
4 such non-toxic shot type or coating applications and revis-
5 ing regulations as necessary, and shall remain available
6 until expended.

7 NATIONAL PARK SERVICE

8 OPERATION OF THE NATIONAL PARK SYSTEM

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for the management, oper-
11 ation, and maintenance of areas and facilities adminis-
12 tered by the National Park Service and for the general
13 administration of the National Park Service,
14 \$2,965,756,000, to remain available until September 30,
15 2023, of which \$11,452,000 shall be for planning and
16 interagency coordination in support of Everglades restora-
17 tion and \$135,980,000 shall be for maintenance, repair,
18 or rehabilitation projects for constructed assets and
19 \$188,184,000 shall be for cyclic maintenance projects for
20 constructed assets and cultural resources and \$5,000,000
21 shall be for uses authorized by section 101122 of title 54,
22 United States Code: *Provided*, That funds appropriated
23 under this heading in this Act are available for the pur-
24 poses of section 5 of Public Law 95–348: *Provided further*,
25 That notwithstanding section 9 of the 400 Years of Afri-

1 can-American History Commission Act (36 U.S.C. note
2 prec. 101; Public Law 115–102), as amended, \$3,300,000
3 of the funds provided under this heading shall be made
4 available for the purposes specified by that Act: *Provided*
5 *further*, That section 7(b) and 8 of that Act shall be
6 amended by striking “July 1, 2022” and inserting “July
7 1, 2023”: *Provided further*, That the National Park Serv-
8 ice may accept transfers of funds from U.S. Customs and
9 Border Protection for mitigation activities, including land
10 acquisition, related to construction of border barriers on
11 Federal lands.

12 In addition, for purposes described in section 2404
13 of Public Law 116–9, an amount equal to the amount de-
14 posited in this fiscal year into the National Park Medical
15 Services Fund established pursuant to such section of
16 such Act, to remain available until expended, shall be de-
17 rived from such Fund.

18 NATIONAL RECREATION AND PRESERVATION

19 For expenses necessary to carry out recreation pro-
20 grams, natural programs, cultural programs, heritage
21 partnership programs, environmental compliance and re-
22 view, international park affairs, and grant administration,
23 not otherwise provided for, \$80,410,000, to remain avail-
24 able until September 30, 2023.

1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the National
3 Historic Preservation Act (division A of subtitle III of title
4 54, United States Code), \$155,800,000, to be derived
5 from the Historic Preservation Fund and to remain avail-
6 able until September 30, 2023, of which \$30,000,000 shall
7 be for Save America's Treasures grants for preservation
8 of nationally significant sites, structures and artifacts as
9 authorized by section 7303 of the Omnibus Public Land
10 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
11 That an individual Save America's Treasures grant shall
12 be matched by non-Federal funds: *Provided further*, That
13 individual projects shall only be eligible for one grant: *Pro-*
14 *vided further*, That all projects to be funded shall be ap-
15 proved by the Secretary of the Interior in consultation
16 with the House and Senate Committees on Appropria-
17 tions: *Provided further*, That of the funds provided for the
18 Historic Preservation Fund, \$1,250,000 is for competitive
19 grants for the survey and nomination of properties to the
20 National Register of Historic Places and as National His-
21 toric Landmarks associated with communities currently
22 under-represented, as determined by the Secretary,
23 \$26,375,000 is for competitive grants to preserve the sites
24 and stories of the Civil Rights movement; \$10,000,000 is
25 for grants to Historically Black Colleges and Universities;

1 \$7,500,000 is for competitive grants for the restoration
2 of historic properties of national, State, and local signifi-
3 cance listed on or eligible for inclusion on the National
4 Register of Historic Places, to be made without imposing
5 the usage or direct grant restrictions of section 101(e)(3)
6 (54 U.S.C. 302904) of the National Historical Preserva-
7 tion Act: *Provided further*, That such competitive grants
8 shall be made without imposing the matching require-
9 ments in section 302902(b)(3) of title 54, United States
10 Code to States and Indian tribes as defined in chapter
11 3003 of such title, Native Hawaiian organizations, local
12 governments, including Certified Local Governments, and
13 non-profit organizations.

14 CONSTRUCTION

15 For construction, improvements, repair, or replace-
16 ment of physical facilities, and compliance and planning
17 for programs and areas administered by the National
18 Park Service, \$252,613,000, to remain available until ex-
19 pended: *Provided*, That notwithstanding any other provi-
20 sion of law, for any project initially funded in fiscal year
21 2022 with a future phase indicated in the National Park
22 Service 5–Year Line Item Construction Plan, a single pro-
23 curement may be issued which includes the full scope of
24 the project: *Provided further*, That the solicitation and
25 contract shall contain the clause availability of funds

1 found at 48 CFR 52.232–18: *Provided further*, That Na-
2 tional Park Service Donations, Park Concessions Fran-
3 chise Fees, and Recreation Fees may be made available
4 for the cost of adjustments and changes within the origi-
5 nal scope of effort for projects funded by the National
6 Park Service Construction appropriation: *Provided further*,
7 That the Secretary of the Interior shall consult with the
8 Committees on Appropriations, in accordance with current
9 reprogramming thresholds, prior to making any charges
10 authorized by this section.

11 CENTENNIAL CHALLENGE

12 For expenses necessary to carry out the provisions
13 of section 101701 of title 54, United States Code, relating
14 to challenge cost share agreements, \$15,000,000, to re-
15 main available until expended, for Centennial Challenge
16 projects and programs: *Provided*, That not less than 50
17 percent of the total cost of each project or program shall
18 be derived from non-Federal sources in the form of do-
19 nated cash, assets, or a pledge of donation guaranteed by
20 an irrevocable letter of credit.

21 ADMINISTRATIVE PROVISIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 In addition to other uses set forth in section
24 101917(c)(2) of title 54, United States Code, franchise
25 fees credited to a sub-account shall be available for ex-

1 penditure by the Secretary, without further appropriation,
2 for use at any unit within the National Park System to
3 extinguish or reduce liability for Possessory Interest or
4 leasehold surrender interest. Such funds may only be used
5 for this purpose to the extent that the benefitting unit an-
6 ticipated franchise fee receipts over the term of the con-
7 tract at that unit exceed the amount of funds used to ex-
8 tinguish or reduce liability. Franchise fees at the benefit-
9 ting unit shall be credited to the sub-account of the origi-
10 nating unit over a period not to exceed the term of a single
11 contract at the benefitting unit, in the amount of funds
12 so expended to extinguish or reduce liability.

13 For the costs of administration of the Land and
14 Water Conservation Fund grants authorized by section
15 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
16 of 2006 (Public Law 109–432), the National Park Service
17 may retain up to 3 percent of the amounts which are au-
18 thorized to be disbursed under such section, such retained
19 amounts to remain available until expended.

20 National Park Service funds may be transferred to
21 the Federal Highway Administration (FHWA), Depart-
22 ment of Transportation, for purposes authorized under 23
23 U.S.C. 203. Transfers may include a reasonable amount
24 for FHWA administrative support costs.

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, biology,
6 and the mineral and water resources of the United States,
7 its territories and possessions, and other areas as author-
8 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
9 to their mineral and water resources; give engineering su-
10 pervision to power permittees and Federal Energy Regu-
11 latory Commission licensees; administer the minerals ex-
12 ploration program (30 U.S.C. 641); conduct inquiries into
13 the economic conditions affecting mining and materials
14 processing industries (30 U.S.C. 3, 21a, and 1603; 50
15 U.S.C. 98g(a)(1)) and related purposes as authorized by
16 law; and to publish and disseminate data relative to the
17 foregoing activities; \$1,642,437,000, to remain available
18 until September 30, 2023; of which \$84,788,000 shall re-
19 main available until expended for satellite operations; and
20 of which \$84,664,000 shall be available until expended for
21 deferred maintenance and capital improvement projects
22 that exceed \$100,000 in cost: *Provided*, That none of the
23 funds provided for the ecosystem research activity shall
24 be used to conduct new surveys on private property, unless
25 specifically authorized in writing by the property owner:

1 *Provided further*, That no part of this appropriation shall
2 be used to pay more than one-half the cost of topographic
3 mapping or water resources data collection and investiga-
4 tions carried on in cooperation with States and municipali-
5 ties.

6 ADMINISTRATIVE PROVISIONS

7 From within the amount appropriated for activities
8 of the United States Geological Survey such sums as are
9 necessary shall be available for contracting for the fur-
10 nishing of topographic maps and for the making of geo-
11 physical or other specialized surveys when it is administra-
12 tively determined that such procedures are in the public
13 interest; construction and maintenance of necessary build-
14 ings and appurtenant facilities; acquisition of lands for
15 gauging stations, observation wells, and seismic equip-
16 ment; expenses of the United States National Committee
17 for Geological Sciences; and payment of compensation and
18 expenses of persons employed by the Survey duly ap-
19 pointed to represent the United States in the negotiation
20 and administration of interstate compacts: *Provided*, That
21 activities funded by appropriations herein made may be
22 accomplished through the use of contracts, grants, or co-
23 operative agreements as defined in section 6302 of title
24 31, United States Code: *Provided further*, That the United
25 States Geological Survey may enter into contracts or coop-

1 erative agreements directly with individuals or indirectly
2 with institutions or nonprofit organizations, without re-
3 gard to 41 U.S.C. 6101, for the temporary or intermittent
4 services of students or recent graduates, who shall be con-
5 sidered employees for the purpose of chapters 57 and 81
6 of title 5, United States Code, relating to compensation
7 for travel and work injuries, and chapter 171 of title 28,
8 United States Code, relating to tort claims, but shall not
9 be considered to be Federal employees for any other pur-
10 poses.

11 BUREAU OF OCEAN ENERGY MANAGEMENT

12 OCEAN ENERGY MANAGEMENT

13 For expenses necessary for granting and admin-
14 istering leases, easements, rights-of-way, and agreements
15 for use for oil and gas, other minerals, energy, and ma-
16 rine-related purposes on the Outer Continental Shelf and
17 approving operations related thereto, as authorized by law;
18 for environmental studies, as authorized by law; for imple-
19 menting other laws and to the extent provided by Presi-
20 dential or Secretarial delegation; and for matching grants
21 or cooperative agreements, \$223,932,000, of which
22 \$180,932,000 is to remain available until September 30,
23 2023, and of which \$43,000,000 is to remain available
24 until expended: *Provided*, That this total appropriation
25 shall be reduced by amounts collected by the Secretary of

1 the Interior and credited to this appropriation from addi-
2 tions to receipts resulting from increases to lease rental
3 rates in effect on August 5, 1993, and from cost recovery
4 fees from activities conducted by the Bureau of Ocean En-
5 ergy Management pursuant to the Outer Continental Shelf
6 Lands Act, including studies, assessments, analysis, and
7 miscellaneous administrative activities: *Provided further*,
8 That the sum herein appropriated shall be reduced as such
9 collections are received during the fiscal year, so as to re-
10 sult in a final fiscal year 2022 appropriation estimated
11 at not more than \$180,932,000: *Provided further*, That
12 not to exceed \$3,000 shall be available for reasonable ex-
13 penses related to promoting volunteer beach and marine
14 cleanup activities.

15 BUREAU OF SAFETY AND ENVIRONMENTAL
16 ENFORCEMENT
17 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

18 For expenses necessary for the regulation of oper-
19 ations related to leases, easements, rights-of-way, and
20 agreements for use for oil and gas, other minerals, energy,
21 and marine-related purposes on the Outer Continental
22 Shelf, as authorized by law; for enforcing and imple-
23 menting laws and regulations as authorized by law and
24 to the extent provided by Presidential or Secretarial dele-
25 gation; and for matching grants or cooperative agree-

1 ments, \$181,030,000, of which \$155,273,000 is to remain
2 available until September 30, 2023, and of which
3 \$25,757,000 is to remain available until expended, includ-
4 ing \$5,000,000 for offshore decommissioning activities:
5 *Provided*, That this total appropriation shall be reduced
6 by amounts collected by the Secretary of the Interior and
7 credited to this appropriation from additions to receipts
8 resulting from increases to lease rental rates in effect on
9 August 5, 1993, and from cost recovery fees from activi-
10 ties conducted by the Bureau of Safety and Environmental
11 Enforcement pursuant to the Outer Continental Shelf
12 Lands Act, including studies, assessments, analysis, and
13 miscellaneous administrative activities: *Provided further*,
14 That the sum herein appropriated shall be reduced as such
15 collections are received during the fiscal year, so as to re-
16 sult in a final fiscal year 2022 appropriation estimated
17 at not more than \$155,273,000.

18 For an additional amount, \$32,243,000, to remain
19 available until expended, to be reduced by amounts col-
20 lected by the Secretary and credited to this appropriation,
21 which shall be derived from non-refundable inspection fees
22 collected in fiscal year 2022, as provided in this Act: *Pro-*
23 *vided*, That to the extent that amounts realized from such
24 inspection fees exceed \$32,243,000, the amounts realized
25 in excess of \$32,243,000 shall be credited to this appro-

1 priation and remain available until expended: *Provided*
2 *further*, That for fiscal year 2022, not less than 50 percent
3 of the inspection fees expended by the Bureau of Safety
4 and Environmental Enforcement will be used to fund per-
5 sonnel and mission-related costs to expand capacity and
6 expedite the orderly development, subject to environmental
7 safeguards, of the Outer Continental Shelf pursuant to the
8 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
9 seq.), including the review of applications for permits to
10 drill.

11 OIL SPILL RESEARCH

12 For necessary expenses to carry out title I, section
13 1016; title IV, sections 4202 and 4303; title VII; and title
14 VIII, section 8201 of the Oil Pollution Act of 1990,
15 \$15,099,000, which shall be derived from the Oil Spill Li-
16 ability Trust Fund, to remain available until expended.

17 OFFICE OF SURFACE MINING RECLAMATION AND

18 ENFORCEMENT

19 REGULATION AND TECHNOLOGY

20 For necessary expenses to carry out the provisions
21 of the Surface Mining Control and Reclamation Act of
22 1977, Public Law 95–87, \$119,257,000, to remain avail-
23 able until September 30, 2023, of which \$65,000,000 shall
24 be available for state and tribal regulatory grants: *Pro-*
25 *vided*, That appropriations for the Office of Surface Min-

1 ing Reclamation and Enforcement may provide for the
2 travel and per diem expenses of State and tribal personnel
3 attending Office of Surface Mining Reclamation and En-
4 forcement sponsored training.

5 In addition, for costs to review, administer, and en-
6 force permits issued by the Office pursuant to section 507
7 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
8 main available until expended: *Provided*, That fees as-
9 sessed and collected by the Office pursuant to such section
10 507 shall be credited to this account as discretionary off-
11 setting collections, to remain available until expended:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced as collections are re-
14 ceived during the fiscal year, so as to result in a fiscal
15 year 2022 appropriation estimated at not more than
16 \$119,257,000.

17 ABANDONED MINE RECLAMATION FUND

18 For necessary expenses to carry out title IV of the
19 Surface Mining Control and Reclamation Act of 1977,
20 Public Law 95–87, \$27,765,000, to be derived from re-
21 ceipts of the Abandoned Mine Reclamation Fund and to
22 remain available until expended: *Provided*, That pursuant
23 to Public Law 97–365, the Department of the Interior is
24 authorized to use up to 20 percent from the recovery of
25 the delinquent debt owed to the United States Government

1 to pay for contracts to collect these debts: *Provided fur-*
2 *ther*, That funds made available under title IV of Public
3 Law 95–87 may be used for any required non-Federal
4 share of the cost of projects funded by the Federal Gov-
5 ernment for the purpose of environmental restoration re-
6 lated to treatment or abatement of acid mine drainage
7 from abandoned mines: *Provided further*, That such
8 projects must be consistent with the purposes and prior-
9 ities of the Surface Mining Control and Reclamation Act:
10 *Provided further*, That amounts provided under this head-
11 ing may be used for the travel and per diem expenses of
12 State and tribal personnel attending Office of Surface
13 Mining Reclamation and Enforcement sponsored training.
14 In addition, \$165,000,000, to remain available until
15 expended, for grants to States and federally recognized In-
16 dian Tribes for reclamation of abandoned mine lands and
17 other related activities: *Provided*, That such additional
18 amount shall be used for economic and community devel-
19 opment in conjunction with the priorities in section 403(a)
20 of the Surface Mining Control and Reclamation Act of
21 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such
22 additional amount, \$105,000,000 shall be distributed in
23 equal amounts to the three Appalachian States with the
24 greatest amount of unfunded needs to meet the priorities
25 described in paragraphs (1) and (2) of such section,

1 \$45,000,000 shall be distributed in equal amounts to the
2 three Appalachian States with the subsequent greatest
3 amount of unfunded needs to meet such priorities, and
4 \$15,000,000 shall be for grants to federally recognized In-
5 dian Tribes without regard to their status as certified or
6 uncertified under the Surface Mining Control and Rec-
7 lamation Act of 1977 (30 U.S.C. 1233(a)), for reclama-
8 tion of abandoned mine lands and other related activities
9 and shall be used for economic and community develop-
10 ment in conjunction with the priorities in section 403(a)
11 of the Surface Mining Control and Reclamation Act of
12 1977: *Provided further*, That such additional amount shall
13 be allocated to States and Indian Tribes within 60 days
14 after the date of enactment of this Act.

15 INDIAN AFFAIRS

16 BUREAU OF INDIAN AFFAIRS

17 OPERATION OF INDIAN PROGRAMS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For expenses necessary for the operation of Indian
20 programs, as authorized by law, including the Snyder Act
21 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-
22 Determination and Education Assistance Act of 1975 (25
23 U.S.C. 5301 et seq.), \$1,924,089,000, to remain available
24 until September 30, 2023, except as otherwise provided
25 herein; of which not to exceed \$8,500 may be for official

1 reception and representation expenses; of which not to ex-
2 ceed \$78,494,000 shall be for welfare assistance pay-
3 ments: *Provided*, That in cases of designated Federal dis-
4 asters, the Secretary of the Interior may exceed such cap
5 for welfare payments from the amounts provided herein,
6 to provide for disaster relief to Indian communities af-
7 fected by the disaster: *Provided further*, That federally rec-
8 ognized Indian tribes and tribal organizations of federally
9 recognized Indian tribes may use their tribal priority allo-
10 cations for unmet welfare assistance costs: *Provided fur-*
11 *ther*, That not to exceed \$60,182,000 shall remain avail-
12 able until expended for housing improvement, road main-
13 tenance, attorney fees, litigation support, land records im-
14 provement, and the Navajo-Hopi Settlement Program:
15 *Provided further*, That any forestry funds allocated to a
16 federally recognized tribe which remain unobligated as of
17 September 30, 2023, may be transferred during fiscal year
18 2024 to an Indian forest land assistance account estab-
19 lished for the benefit of the holder of the funds within
20 the holder's trust fund account: *Provided further*, That
21 any such unobligated balances not so transferred shall ex-
22 pire on September 30, 2024: *Provided further*, That in
23 order to enhance the safety of Bureau field employees, the
24 Bureau may use funds to purchase uniforms or other iden-
25 tifying articles of clothing for personnel: *Provided further*,

1 That the Bureau of Indian Affairs may accept transfers
2 of funds from United States Customs and Border Protec-
3 tion to supplement any other funding available for recon-
4 struction or repair of roads owned by the Bureau of Indian
5 Affairs as identified on the National Tribal Transpor-
6 tation Facility Inventory, 23 U.S.C. 202(b)(1): *Provided*
7 *further*, That section 5 of the Indian Reorganization Act
8 of June 18, 1934 (25 U.S.C. 5108) shall be applied by
9 substituting “\$2,500,000” for “\$2,000,000”.

10 INDIAN LAND CONSOLIDATION

11 For the acquisition of fractional interests to further
12 land consolidation as authorized under the Indian Land
13 Consolidation Act Amendments of 2000 (Public Law 106–
14 462), and the American Indian Probate Reform Act of
15 2004 (Public Law 108–374), \$75,000,000, to remain
16 available until expended: *Provided*, That any provision of
17 the Indian Land Consolidation Act Amendments of 2000
18 (Public Law 106–462) that requires or otherwise relates
19 to application of a lien shall not apply to the acquisitions
20 funded herein.

21 CONTRACT SUPPORT COSTS

22 For payments to tribes and tribal organizations for
23 contract support costs associated with Indian Self-Deter-
24 mination and Education Assistance Act agreements with
25 the Bureau of Indian Affairs and the Bureau of Indian

1 Education for fiscal year 2022, such sums as may be nec-
2 essary, which shall be available for obligation through Sep-
3 tember 30, 2023: *Provided*, That notwithstanding any
4 other provision of law, no amounts made available under
5 this heading shall be available for transfer to another
6 budget account.

7 PAYMENTS FOR TRIBAL LEASES

8 For payments to tribes and tribal organizations for
9 leases pursuant to section 105(l) of the Indian Self-Deter-
10 mination and Education Assistance Act (25 U.S.C.
11 5324(l)) for fiscal year 2022, such sums as may be nec-
12 essary, which shall be available for obligation through Sep-
13 tember 30, 2023: *Provided*, That notwithstanding any
14 other provision of law, no amounts made available under
15 this heading shall be available for transfer to another
16 budget account.

17 CONSTRUCTION

18 (INCLUDING TRANSFER OF FUNDS)

19 For construction, repair, improvement, and mainte-
20 nance of irrigation and power systems, buildings, utilities,
21 and other facilities, including architectural and engineer-
22 ing services by contract; acquisition of lands, and interests
23 in lands; and preparation of lands for farming, and for
24 construction of the Navajo Indian Irrigation Project pur-
25 suant to Public Law 87-483; \$187,992,000, to remain

1 available until expended: *Provided*, That such amounts as
2 may be available for the construction of the Navajo Indian
3 Irrigation Project may be transferred to the Bureau of
4 Reclamation: *Provided further*, That any funds provided
5 for the Safety of Dams program pursuant to the Act of
6 November 2, 1921 (25 U.S.C. 13), shall be made available
7 on a nonreimbursable basis: *Provided further*, That this
8 appropriation may be reimbursed from the Office of the
9 Special Trustee for American Indians appropriation for
10 the appropriate share of construction costs for space ex-
11 pansion needed in agency offices to meet trust reform im-
12 plementation: *Provided further*, That of the funds made
13 available under this heading, \$10,000,000 shall be derived
14 from the Indian Irrigation Fund established by section
15 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
16 1749).

17 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
18 MISCELLANEOUS PAYMENTS TO INDIANS

19 For payments and necessary administrative expenses
20 for implementation of Indian land and water claim settle-
21 ments pursuant to Public Laws 99–264, 114–322, and
22 116–260 and for implementation of other land and water
23 rights settlements, \$75,844,000, to remain available until
24 expended, of which up to \$25,000,000 shall be available

1 for deposit into the Séliš-Qlispé Ksanka Settlement Trust
2 Fund established by Public Law 116–260.

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

4 For the cost of guaranteed loans and insured loans,
5 \$11,833,000, to remain available until September 30,
6 2023, of which \$1,629,000 is for administrative expenses,
7 as authorized by the Indian Financing Act of 1974: *Pro-*
8 *vided*, That such costs, including the cost of modifying
9 such loans, shall be as defined in section 502 of the Con-
10 gressional Budget Act of 1974: *Provided further*, That
11 these funds are available to subsidize total loan principal,
12 any part of which is to be guaranteed or insured, not to
13 exceed \$103,456,940.

14 BUREAU OF INDIAN EDUCATION

15 OPERATION OF INDIAN EDUCATION PROGRAMS

16 For expenses necessary for the operation of Indian
17 education programs, as authorized by law, including the
18 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
19 dian Self-Determination and Education Assistance Act of
20 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
21 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
22 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
23 \$1,083,463,000 to remain available until September 30,
24 2023, except as otherwise provided herein: *Provided*, That
25 federally recognized Indian tribes and tribal organizations

1 of federally recognized Indian tribes may use their tribal
2 priority allocations for unmet welfare assistance costs:
3 *Provided further*, That not to exceed \$797,911,000 for
4 school operations costs of Bureau-funded schools and
5 other education programs shall become available on July
6 1, 2022, and shall remain available until September 30,
7 2023: *Provided further*, That notwithstanding any other
8 provision of law, including but not limited to the Indian
9 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)
10 and section 1128 of the Education Amendments of 1978
11 (25 U.S.C. 2008), not to exceed \$92,285,000 within and
12 only from such amounts made available for school oper-
13 ations shall be available for administrative cost grants as-
14 sociated with grants approved prior to July 1, 2022: *Pro-*
15 *vided further*, That in order to enhance the safety of Bu-
16 reau field employees, the Bureau may use funds to pur-
17 chase uniforms or other identifying articles of clothing for
18 personnel.

19 EDUCATION CONSTRUCTION

20 For construction, repair, improvement, and mainte-
21 nance of buildings, utilities, and other facilities necessary
22 for the operation of Indian education programs, including
23 architectural and engineering services by contract; acquisi-
24 tion of lands, and interests in lands; \$267,330,000 to re-
25 main available until expended: *Provided*, That in order to

1 ensure timely completion of construction projects, the Sec-
2 retary of the Interior may assume control of a project and
3 all funds related to the project, if, not later than 18
4 months after the date of the enactment of this Act, any
5 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee
6 receiving funds appropriated in this Act or in any prior
7 Act, has not completed the planning and design phase of
8 the project and commenced construction.

9 ADMINISTRATIVE PROVISIONS

10 The Bureau of Indian Affairs and the Bureau of In-
11 dian Education may carry out the operation of Indian pro-
12 grams by direct expenditure, contracts, cooperative agree-
13 ments, compacts, and grants, either directly or in coopera-
14 tion with States and other organizations.

15 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
16 the Bureau of Indian Affairs may contract for services in
17 support of the management, operation, and maintenance
18 of the Power Division of the San Carlos Irrigation Project.

19 Notwithstanding any other provision of law, no funds
20 available to the Bureau of Indian Affairs or the Bureau
21 of Indian Education for central office oversight and Exec-
22 utive Direction and Administrative Services (except Exec-
23 utive Direction and Administrative Services funding for
24 Tribal Priority Allocations, regional offices, and facilities
25 operations and maintenance) shall be available for con-

1 tracts, grants, compacts, or cooperative agreements with
2 the Bureau of Indian Affairs or the Bureau of Indian
3 Education under the provisions of the Indian Self-Deter-
4 mination Act or the Tribal Self-Governance Act of 1994
5 (Public Law 103–413).

6 In the event any tribe returns appropriations made
7 available by this Act to the Bureau of Indian Affairs or
8 the Bureau of Indian Education, this action shall not di-
9 minish the Federal Government’s trust responsibility to
10 that tribe, or the government-to-government relationship
11 between the United States and that tribe, or that tribe’s
12 ability to access future appropriations.

13 Notwithstanding any other provision of law, no funds
14 available to the Bureau of Indian Education, other than
15 the amounts provided herein for assistance to public
16 schools under 25 U.S.C. 452 et seq., shall be available to
17 support the operation of any elementary or secondary
18 school in the State of Alaska.

19 No funds available to the Bureau of Indian Edu-
20 cation shall be used to support expanded grades for any
21 school or dormitory beyond the grade structure in place
22 or approved by the Secretary of the Interior at each school
23 in the Bureau of Indian Education school system as of
24 October 1, 1995, except that the Secretary of the Interior
25 may waive this prohibition to support expansion of up to

1 one additional grade when the Secretary determines such
2 waiver is needed to support accomplishment of the mission
3 of the Bureau of Indian Education, or more than one
4 grade to expand the elementary grade structure for Bu-
5 reau-funded schools with a K–2 grade structure on Octo-
6 ber 1, 1996. Appropriations made available in this or any
7 prior Act for schools funded by the Bureau shall be avail-
8 able, in accordance with the Bureau’s funding formula,
9 only to the schools in the Bureau school system as of Sep-
10 tember 1, 1996, and to any school or school program that
11 was reinstated in fiscal year 2012. Funds made available
12 under this Act may not be used to establish a charter
13 school at a Bureau-funded school (as that term is defined
14 in section 1141 of the Education Amendments of 1978
15 (25 U.S.C. 2021)), except that a charter school that is
16 in existence on the date of the enactment of this Act and
17 that has operated at a Bureau-funded school before Sep-
18 tember 1, 1999, may continue to operate during that pe-
19 riod, but only if the charter school pays to the Bureau
20 a pro rata share of funds to reimburse the Bureau for
21 the use of the real and personal property (including buses
22 and vans), the funds of the charter school are kept sepa-
23 rate and apart from Bureau funds, and the Bureau does
24 not assume any obligation for charter school programs of
25 the State in which the school is located if the charter

1 school loses such funding. Employees of Bureau-funded
2 schools sharing a campus with a charter school and per-
3 forming functions related to the charter school's operation
4 and employees of a charter school shall not be treated as
5 Federal employees for purposes of chapter 171 of title 28,
6 United States Code.

7 Notwithstanding any other provision of law, including
8 section 113 of title I of appendix C of Public Law 106–
9 113, if in fiscal year 2003 or 2004 a grantee received indi-
10 rect and administrative costs pursuant to a distribution
11 formula based on section 5(f) of Public Law 101–301, the
12 Secretary shall continue to distribute indirect and admin-
13 istrative cost funds to such grantee using the section 5(f)
14 distribution formula.

15 Funds available under this Act may not be used to
16 establish satellite locations of schools in the Bureau school
17 system as of September 1, 1996, except that the Secretary
18 may waive this prohibition in order for an Indian tribe
19 to provide language and cultural immersion educational
20 programs for non-public schools located within the juris-
21 dictional area of the tribal government which exclusively
22 serve tribal members, do not include grades beyond those
23 currently served at the existing Bureau-funded school,
24 provide an educational environment with educator pres-
25 ence and academic facilities comparable to the Bureau-

1 funded school, comply with all applicable Tribal, Federal,
2 or State health and safety standards, and the Americans
3 with Disabilities Act, and demonstrate the benefits of es-
4 tablishing operations at a satellite location in lieu of incur-
5 ring extraordinary costs, such as for transportation or
6 other impacts to students such as those caused by busing
7 students extended distances: *Provided*, That no funds
8 available under this Act may be used to fund operations,
9 maintenance, rehabilitation, construction, or other facili-
10 ties-related costs for such assets that are not owned by
11 the Bureau: *Provided further*, That the term “satellite
12 school” means a school location physically separated from
13 the existing Bureau school by more than 50 miles but that
14 forms part of the existing school in all other respects.

15 Funds made available for Tribal Priority Allocations
16 within Operation of Indian Programs and Operation of In-
17 dian Education Programs may be used to execute re-
18 quested adjustments in tribal priority allocations initiated
19 by an Indian Tribe.

20 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

21 INDIANS

22 FEDERAL TRUST PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the operation of trust programs for Indians by
25 direct expenditure, contracts, cooperative agreements,

1 compacts, and grants, \$109,572,000, to remain available
2 until expended, of which not to exceed \$17,536,000 from
3 this or any other Act, may be available for historical ac-
4 counting: *Provided*, That funds for trust management im-
5 provements and litigation support may, as needed, be
6 transferred to or merged with the Bureau of Indian Af-
7 fairs, “Operation of Indian Programs” and Bureau of In-
8 dian Education, “Operation of Indian Education Pro-
9 grams” accounts; the Office of the Solicitor, “Salaries and
10 Expenses” account; and the Office of the Secretary, “De-
11 partmental Operations” account: *Provided further*, That
12 funds made available through contracts or grants obli-
13 gated during fiscal year 2022, as authorized by the Indian
14 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
15 shall remain available until expended by the contractor or
16 grantee: *Provided further*, That notwithstanding any other
17 provision of law, the Secretary shall not be required to
18 provide a quarterly statement of performance for any In-
19 dian trust account that has not had activity for at least
20 15 months and has a balance of \$15 or less: *Provided fur-*
21 *ther*, That the Secretary shall issue an annual account
22 statement and maintain a record of any such accounts and
23 shall permit the balance in each such account to be with-
24 drawn upon the express written request of the account
25 holder: *Provided further*, That not to exceed \$100,000 is

1 available for the Secretary to make payments to correct
2 administrative errors of either disbursements from or de-
3 posits to Individual Indian Money or Tribal accounts after
4 September 30, 2002: *Provided further*, That erroneous
5 payments that are recovered shall be credited to and re-
6 main available in this account for this purpose: *Provided*
7 *further*, That the Secretary shall not be required to rec-
8 oncile Special Deposit Accounts with a balance of less than
9 \$500 unless the Office of the Special Trustee receives
10 proof of ownership from a Special Deposit Accounts claim-
11 ant: *Provided further*, That notwithstanding section 102
12 of the American Indian Trust Fund Management Reform
13 Act of 1994 (Public Law 103–412) or any other provision
14 of law, the Secretary may aggregate the trust accounts
15 of individuals whose whereabouts are unknown for a con-
16 tinuous period of at least 5 years and shall not be required
17 to generate periodic statements of performance for the in-
18 dividual accounts: *Provided further*, That with respect to
19 the eighth proviso, the Secretary shall continue to main-
20 tain sufficient records to determine the balance of the indi-
21 vidual accounts, including any accrued interest and in-
22 come, and such funds shall remain available to the indi-
23 vidual account holders.

1 DEPARTMENTAL OFFICES
2 OFFICE OF THE SECRETARY
3 DEPARTMENTAL OPERATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for management of the De-
6 partment of the Interior and for grants and cooperative
7 agreements, as authorized by law, \$130,887,000, to re-
8 main available until September 30, 2023; of which not to
9 exceed \$15,000 may be for official reception and represen-
10 tation expenses; of which up to \$1,000,000 shall be avail-
11 able for workers compensation payments and unemploy-
12 ment compensation payments associated with the orderly
13 closure of the United States Bureau of Mines; and of
14 which \$13,591,000 for Indian land, mineral, and resource
15 valuation activities shall remain available until expended:
16 *Provided*, That funds for Indian land, mineral, and re-
17 source valuation activities may, as needed, be transferred
18 to and merged with the Bureau of Indian Affairs “Oper-
19 ation of Indian Programs” and Bureau of Indian Edu-
20 cation “Operation of Indian Education Programs” ac-
21 counts and the Office of the Special Trustee “Federal
22 Trust Programs” account: *Provided further*, That funds
23 made available through contracts or grants obligated dur-
24 ing fiscal year 2022, as authorized by the Indian Self-De-
25 termination Act of 1975 (25 U.S.C. 5301 et seq.), shall

1 remain available until expended by the contractor or
2 grantee.

3 ADMINISTRATIVE PROVISIONS

4 For fiscal year 2022, up to \$400,000 of the payments
5 authorized by chapter 69 of title 31, United States Code,
6 may be retained for administrative expenses of the Pay-
7 ments in Lieu of Taxes Program: *Provided*, That the
8 amounts provided under this Act specifically for the Pay-
9 ments in Lieu of Taxes program are the only amounts
10 available for payments authorized under chapter 69 of
11 title 31, United States Code: *Provided further*, That in the
12 event the sums appropriated for any fiscal year for pay-
13 ments pursuant to this chapter are insufficient to make
14 the full payments authorized by that chapter to all units
15 of local government, then the payment to each local gov-
16 ernment shall be made proportionally: *Provided further*,
17 That the Secretary may make adjustments to payment to
18 individual units of local government to correct for prior
19 overpayments or underpayments: *Provided further*, That
20 no payment shall be made pursuant to that chapter to oth-
21 erwise eligible units of local government if the computed
22 amount of the payment is less than \$100.

1 INSULAR AFFAIRS

2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories
4 under the jurisdiction of the Department of the Interior
5 and other jurisdictions identified in section 104(e) of Pub-
6 lic Law 108–188, \$119,477,000, of which: (1)
7 \$109,640,000 shall remain available until expended for
8 territorial assistance, including general technical assist-
9 ance, maintenance assistance, disaster assistance, coral
10 reef initiative and natural resources activities, and brown
11 tree snake control and research; grants to the judiciary
12 in American Samoa for compensation and expenses, as au-
13 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
14 ment of American Samoa, in addition to current local rev-
15 enues, for construction and support of governmental func-
16 tions; grants to the Government of the Virgin Islands, as
17 authorized by law; grants to the Government of Guam,
18 as authorized by law; and grants to the Government of
19 the Northern Mariana Islands, as authorized by law (Pub-
20 lic Law 94–241; 90 Stat. 272); and (2) \$9,837,000 shall
21 be available until September 30, 2023, for salaries and
22 expenses of the Office of Insular Affairs: *Provided*, That
23 all financial transactions of the territorial and local gov-
24 ernments herein provided for, including such transactions
25 of all agencies or instrumentalities established or used by

1 such governments, may be audited by the Government Ac-
2 countability Office, at its discretion, in accordance with
3 chapter 35 of title 31, United States Code: *Provided fur-*
4 *ther*, That Northern Mariana Islands Covenant grant
5 funding shall be provided according to those terms of the
6 Agreement of the Special Representatives on Future
7 United States Financial Assistance for the Northern Mar-
8 iana Islands approved by Public Law 104–134: *Provided*
9 *further*, That the funds for the program of operations and
10 maintenance improvement are appropriated to institu-
11 tionalize routine operations and maintenance improvement
12 of capital infrastructure with territorial participation and
13 cost sharing to be determined by the Secretary based on
14 the grantee’s commitment to timely maintenance of its
15 capital assets: *Provided further*, That any appropriation
16 for disaster assistance under this heading in this Act or
17 previous appropriations Acts may be used as non–Federal
18 matching funds for the purpose of hazard mitigation
19 grants provided pursuant to section 404 of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5170c).

22 COMPACT OF FREE ASSOCIATION

23 For grants and necessary expenses, \$8,463,000, to
24 remain available until expended, as provided for in sec-
25 tions 221(a)(2) and 233 of the Compact of Free Associa-

tion for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188: *Provided*, That of the funds appropriated under this heading, \$5,000,000 is for deposit into the Compact Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108–188 for adverse financial and economic impacts.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act

1 of 1974: *Provided further*, That such loans or loan guaran-
2 tees may be made without regard to the population of the
3 area, credit elsewhere requirements, and restrictions on
4 the types of eligible entities under the Rural Electrifica-
5 tion Act of 1936 and section 306(a)(1) of the Consolidated
6 Farm and Rural Development Act: *Provided further*, That
7 any funds transferred to the Secretary of Agriculture shall
8 be in addition to funds otherwise made available to make
9 or guarantee loans under such authorities.

10 OFFICE OF THE SOLICITOR

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Solicitor,
13 \$95,498,000, to remain available until September 30,
14 2023.

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General, \$66,382,000, to remain available until September
19 30, 2023.

20 DEPARTMENT-WIDE PROGRAMS

21 WILDLAND FIRE MANAGEMENT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for fire preparedness, fire
24 suppression operations, fire science and research, emer-
25 gency rehabilitation, fuels management activities, and

1 rural fire assistance by the Department of the Interior,
2 \$1,110,061,000, to remain available until expended, of
3 which not to exceed \$18,427,000 shall be for the renova-
4 tion or construction of fire facilities: *Provided*, That such
5 funds are also available for repayment of advances to
6 other appropriation accounts from which funds were pre-
7 viously transferred for such purposes: *Provided further*,
8 That of the funds provided \$303,964,000 is for fuels man-
9 agement activities: *Provided further*, That of the funds
10 provided \$40,470,000 is for burned area rehabilitation:
11 *Provided further*, That persons hired pursuant to 43
12 U.S.C. 1469 may be furnished subsistence and lodging
13 without cost from funds available from this appropriation:
14 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
15 sums received by a bureau or office of the Department
16 of the Interior for fire protection rendered pursuant to 42
17 U.S.C. 1856 et seq., protection of United States property,
18 may be credited to the appropriation from which funds
19 were expended to provide that protection, and are avail-
20 able without fiscal year limitation: *Provided further*, That
21 using the amounts designated under this title of this Act,
22 the Secretary of the Interior may enter into procurement
23 contracts, grants, or cooperative agreements, for fuels
24 management activities, and for training and monitoring
25 associated with such fuels management activities on Fed-

1 eral land, or on adjacent non-Federal land for activities
2 that benefit resources on Federal land: *Provided further*,
3 That the costs of implementing any cooperative agreement
4 between the Federal Government and any non-Federal en-
5 tity may be shared, as mutually agreed on by the affected
6 parties: *Provided further*, That notwithstanding require-
7 ments of the Competition in Contracting Act, the Sec-
8 retary, for purposes of fuels management activities, may
9 obtain maximum practicable competition among: (1) local
10 private, nonprofit, or cooperative entities; (2) Youth Con-
11 servation Corps crews, Public Lands Corps (Public Law
12 109–154), or related partnerships with State, local, or
13 nonprofit youth groups; (3) small or micro-businesses; or
14 (4) other entities that will hire or train locally a significant
15 percentage, defined as 50 percent or more, of the project
16 workforce to complete such contracts: *Provided further*,
17 That in implementing this section, the Secretary shall de-
18 velop written guidance to field units to ensure account-
19 ability and consistent application of the authorities pro-
20 vided herein: *Provided further*, That funds appropriated
21 under this heading may be used to reimburse the United
22 States Fish and Wildlife Service and the National Marine
23 Fisheries Service for the costs of carrying out their re-
24 sponsibilities under the Endangered Species Act of 1973
25 (16 U.S.C. 1531 et seq.) to consult and conference, as

1 required by section 7 of such Act, in connection with
2 wildland fire management activities: *Provided further*,
3 That the Secretary of the Interior may use wildland fire
4 appropriations to enter into leases of real property with
5 local governments, at or below fair market value, to con-
6 struct capitalized improvements for fire facilities on such
7 leased properties, including but not limited to fire guard
8 stations, retardant stations, and other initial attack and
9 fire support facilities, and to make advance payments for
10 any such lease or for construction activity associated with
11 the lease: *Provided further*, That the Secretary of the Inte-
12 rior and the Secretary of Agriculture may authorize the
13 transfer of funds appropriated for wildland fire manage-
14 ment, in an aggregate amount not to exceed \$50,000,000
15 between the Departments when such transfers would fa-
16 cilitate and expedite wildland fire management programs
17 and projects: *Provided further*, That funds provided for
18 wildfire suppression shall be available for support of Fed-
19 eral emergency response actions: *Provided further*, That
20 funds appropriated under this heading shall be available
21 for assistance to or through the Department of State in
22 connection with forest and rangeland research, technical
23 information, and assistance in foreign countries, and, with
24 the concurrence of the Secretary of State, shall be avail-
25 able to support forestry, wildland fire management, and

1 related natural resource activities outside the United
2 States and its territories and possessions, including tech-
3 nical assistance, education and training, and cooperation
4 with United States and international organizations: *Pro-*
5 *vided further*, That of the funds provided under this head-
6 ing \$383,657,000 shall be available for wildfire suppres-
7 sion operations, and is provided to meet the terms of sec-
8 tion 1(h) of H. Res. 467 of the 117th Congress as en-
9 grossed in the House of Representatives on June 14,
10 2021.

11 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
12 (INCLUDING TRANSFERS OF FUNDS)

13 In addition to the amounts provided under the head-
14 ing “Department of the Interior—Department-Wide Pro-
15 grams—Wildland Fire Management” for wildfire suppres-
16 sion operations, \$330,000,000, to remain available until
17 transferred, is additional new budget authority for pur-
18 poses of section 1(h) of H. Res. 467 of the 117th Congress
19 as engrossed in the House of Representatives on June 14,
20 2021: *Provided*, That such amounts may be transferred
21 to and merged with amounts made available under the
22 headings “Department of Agriculture—Forest Service—
23 Wildland Fire Management” and “Department of the In-
24 terior—Department-Wide Programs—Wildland Fire
25 Management” for wildfire suppression operations in the

1 fiscal year in which such amounts are transferred: *Pro-*
2 *vided further*, That amounts may be transferred to the
3 “Wildland Fire Management” accounts in the Department
4 of Agriculture or the Department of the Interior only upon
5 the notification of the House and Senate Committees on
6 Appropriations that all wildfire suppression operations
7 funds appropriated under that heading in this and prior
8 appropriations Acts to the agency to which the funds will
9 be transferred will be obligated within 30 days: *Provided*
10 *further*, That the transfer authority provided under this
11 heading is in addition to any other transfer authority pro-
12 vided by law: *Provided further*, That, in determining
13 whether all wildfire suppression operations funds appro-
14 priated under the heading “Wildland Fire Management”
15 in this and prior appropriations Acts to either the Depart-
16 ment of Agriculture or the Department of the Interior will
17 be obligated within 30 days pursuant to the previous pro-
18 viso, any funds transferred or permitted to be transferred
19 pursuant to any other transfer authority provided by law
20 shall be excluded.

21 CENTRAL HAZARDOUS MATERIALS FUND

22 For necessary expenses of the Department of the In-
23 terior and any of its component offices and bureaus for
24 the response action, including associated activities, per-
25 formed pursuant to the Comprehensive Environmental Re-

1 sponse, Compensation, and Liability Act (42 U.S.C. 9601
2 et seq.), \$10,036,000, to remain available until expended.

3 ENERGY COMMUNITY REVITALIZATION PROGRAM

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of the Department of the In-
6 terior and any of its component offices and bureaus to
7 inventory, assess, decommission, reclaim, respond to haz-
8 ardous substance releases, and remediate abandoned hard
9 rock mines, orphaned oil and gas wells, and orphaned in-
10 frastructure, including, but not limited to, facilities, pipe-
11 lines, structures or equipment used in energy production
12 operations, \$120,000,000, to remain available until ex-
13 pended: *Provided*, That such amount shall be in addition
14 to amounts otherwise available for such purposes: *Pro-*
15 *vided further*, That amounts appropriated under this head-
16 ing are available for grants and cooperative agreements
17 to States to inventory, assess, decommission, reclaim, and
18 remediate abandoned hard rock mines, orphaned oil and
19 gas wells, and associated infrastructure on State and pri-
20 vate lands: *Provided further*, That amounts appropriated
21 under this heading are available for grants or cooperative
22 agreements to tribes to inventory, assess, decommission,
23 reclaim, and remediate abandoned hard rock mines, or-
24 phaned oil and gas wells, and their associated infrastruc-
25 ture on tribal lands, including grants management capac-

1 ity within tribes: *Provided further*, That amounts appro-
2 priated under this heading are available for program man-
3 agement and oversight of these activities: *Provided further*,
4 That the Secretary may transfer the funds provided under
5 this heading in this Act to any other account in the De-
6 partment to carry out such purposes, and may expend
7 such funds directly, or through grants or cooperative
8 agreements: *Provided further*, That the Secretary may im-
9 plement the grant and cooperative agreement programs
10 authorized herein on a formula or competitive basis: *Pro-*
11 *vided further*, That these amounts are not available to ful-
12 fill Comprehensive Environmental Response, Compensa-
13 tion, and Liability Act (42 U.S.C. 9601 et seq.) obliga-
14 tions agreed to in settlement or imposed by a court, wheth-
15 er for payment of funds or for work to be performed.

16 NATURAL RESOURCE DAMAGE ASSESSMENT AND
17 RESTORATION

18 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

19 To conduct natural resource damage assessment, res-
20 toration activities, and onshore oil spill preparedness by
21 the Department of the Interior necessary to carry out the
22 provisions of the Comprehensive Environmental Response,
23 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
24 the Federal Water Pollution Control Act (33 U.S.C. 1251
25 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701

1 et seq.), and 54 U.S.C. 100721 et seq., \$7,933,000, to
2 remain available until expended.

3 WORKING CAPITAL FUND

4 For the operation and maintenance of a departmental
5 financial and business management system, information
6 technology improvements of general benefit to the Depart-
7 ment, cybersecurity, and the consolidation of facilities and
8 operations throughout the Department, \$91,436,000, to
9 remain available until expended: *Provided*, That none of
10 the funds appropriated in this Act or any other Act may
11 be used to establish reserves in the Working Capital Fund
12 account other than for accrued annual leave and deprecia-
13 tion of equipment without prior approval of the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate: *Provided further*, That the Secretary of
16 the Interior may assess reasonable charges to State, local,
17 and tribal government employees for training services pro-
18 vided by the National Indian Program Training Center,
19 other than training related to Public Law 93–638: *Pro-*
20 *vided further*, That the Secretary may lease or otherwise
21 provide space and related facilities, equipment, or profes-
22 sional services of the National Indian Program Training
23 Center to State, local and tribal government employees or
24 persons or organizations engaged in cultural, educational,
25 or recreational activities (as defined in section 3306(a) of

1 title 40, United States Code) at the prevailing rate for
2 similar space, facilities, equipment, or services in the vicin-
3 ity of the National Indian Program Training Center: *Pro-*
4 *vided further*, That all funds received pursuant to the two
5 preceding provisos shall be credited to this account, shall
6 be available until expended, and shall be used by the Sec-
7 retary for necessary expenses of the National Indian Pro-
8 gram Training Center: *Provided further*, That the Sec-
9 retary may enter into grants and cooperative agreements
10 to support the Office of Natural Resource Revenue's col-
11 lection and disbursement of royalties, fees, and other min-
12 eral revenue proceeds, as authorized by law.

13 ADMINISTRATIVE PROVISION

14 There is hereby authorized for acquisition from avail-
15 able resources within the Working Capital Fund, aircraft
16 which may be obtained by donation, purchase, or through
17 available excess surplus property: *Provided*, That existing
18 aircraft being replaced may be sold, with proceeds derived
19 or trade-in value used to offset the purchase price for the
20 replacement aircraft.

21 OFFICE OF NATURAL RESOURCES REVENUE

22 For necessary expenses for management of the collec-
23 tion and disbursement of royalties, fees, and other mineral
24 revenue proceeds, and for grants and cooperative agree-
25 ments, as authorized by law, \$153,474,000, to remain

1 available until September 30, 2023; of which \$51,985,000
2 shall remain available until expended for the purpose of
3 mineral revenue management activities: *Provided*, That
4 notwithstanding any other provision of law, \$15,000 shall
5 be available for refunds of overpayments in connection
6 with certain Indian leases in which the Secretary of the
7 Interior concurred with the claimed refund due, to pay
8 amounts owed to Indian allottees or tribes, or to correct
9 prior unrecoverable erroneous payments.

10 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
11 (INCLUDING TRANSFERS OF FUNDS)

12 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

13 SEC. 101. Appropriations made in this title shall be
14 available for expenditure or transfer (within each bureau
15 or office), with the approval of the Secretary of the Inte-
16 rior, for the emergency reconstruction, replacement, or re-
17 pair of aircraft, buildings, utilities, or other facilities or
18 equipment damaged or destroyed by fire, flood, storm, or
19 other unavoidable causes: *Provided*, That no funds shall
20 be made available under this authority until funds specifi-
21 cally made available to the Department of the Interior for
22 emergencies shall have been exhausted: *Provided further*,
23 That all funds used pursuant to this section must be re-
24 plenished by a supplemental appropriation, which must be
25 requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT—
WIDE

SEC. 102. The Secretary of the Interior may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not car-

1 rying out the regulatory provisions of the Surface Mining
2 Act: *Provided*, That appropriations made in this title for
3 wildland fire operations shall be available for the payment
4 of obligations incurred during the preceding fiscal year,
5 and for reimbursement to other Federal agencies for de-
6 struction of vehicles, aircraft, or other equipment in con-
7 nection with their use for wildland fire operations, with
8 such reimbursement to be credited to appropriations cur-
9 rently available at the time of receipt thereof: *Provided*
10 *further*, That for wildland fire operations, no funds shall
11 be made available under this authority until the Secretary
12 determines that funds appropriated for “wildland fire sup-
13 pression” shall be exhausted within 30 days: *Provided fur-*
14 *ther*, That all funds used pursuant to this section must
15 be replenished by a supplemental appropriation, which
16 must be requested as promptly as possible: *Provided fur-*
17 *ther*, That such replenishment funds shall be used to reim-
18 burse, on a pro rata basis, accounts from which emergency
19 funds were transferred.

20 AUTHORIZED USE OF FUNDS

21 SEC. 103. Appropriations made to the Department
22 of the Interior in this title shall be available for services
23 as authorized by section 3109 of title 5, United States
24 Code, when authorized by the Secretary of the Interior,
25 in total amount not to exceed \$500,000; purchase and re-

1 placement of motor vehicles, including specially equipped
2 law enforcement vehicles; hire, maintenance, and oper-
3 ation of aircraft; hire of passenger motor vehicles; pur-
4 chase of reprints; payment for telephone service in private
5 residences in the field, when authorized under regulations
6 approved by the Secretary; and the payment of dues, when
7 authorized by the Secretary, for library membership in so-
8 cieties or associations which issue publications to members
9 only or at a price to members lower than to subscribers
10 who are not members.

11 AUTHORIZED USE OF FUNDS, INDIAN TRUST

12 MANAGEMENT

13 SEC. 104. Appropriations made in this Act under the
14 headings Bureau of Indian Affairs and Bureau of Indian
15 Education, and Office of the Special Trustee for American
16 Indians and any unobligated balances from prior appro-
17 priations Acts made under the same headings shall be
18 available for expenditure or transfer for Indian trust man-
19 agement and reform activities. Total funding for historical
20 accounting activities shall not exceed amounts specifically
21 designated in this Act for such purpose. The Secretary
22 shall notify the House and Senate Committees on Appro-
23 priations within 60 days of the expenditure or transfer of
24 any funds under this section, including the amount ex-
25 pended or transferred and how the funds will be used.

1 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
2 AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2022. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

15 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

16 SEC. 106. Notwithstanding any other provision of
17 law, the Secretary of the Interior is authorized to acquire
18 lands, waters, or interests therein, including the use of all
19 or part of any pier, dock, or landing within the State of
20 New York and the State of New Jersey, for the purpose
21 of operating and maintaining facilities in the support of
22 transportation and accommodation of visitors to Ellis,
23 Governors, and Liberty Islands, and of other program and
24 administrative activities, by donation or with appropriated
25 funds, including franchise fees (and other monetary con-

1 sideration), or by exchange; and the Secretary is author-
2 ized to negotiate and enter into leases, subleases, conces-
3 sion contracts, or other agreements for the use of such
4 facilities on such terms and conditions as the Secretary
5 may determine reasonable.

6 OUTER CONTINENTAL SHELF INSPECTION FEES

7 SEC. 107. (a) In fiscal year 2022, the Secretary of
8 the Interior shall collect a nonrefundable inspection fee,
9 which shall be deposited in the “Offshore Safety and Envi-
10 ronmental Enforcement” account, from the designated op-
11 erator for facilities subject to inspection under 43 U.S.C.
12 1348(c).

13 (b) Annual fees shall be collected for facilities that
14 are above the waterline, excluding drilling rigs, and are
15 in place at the start of the fiscal year. Fees for fiscal year
16 2022 shall be—

17 (1) \$11,725 for facilities with no wells, but with
18 processing equipment or gathering lines;

19 (2) \$18,984 for facilities with 1 to 10 wells,
20 with any combination of active or inactive wells; and

21 (3) \$35,176 for facilities with more than 10
22 wells, with any combination of active or inactive
23 wells.

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2022. Fees for fiscal
3 year 2022 shall be—

4 (1) \$34,059 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$18,649 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) Fees for inspection of well operations conducted
9 via non-rig units as outlined in title 30 CFR 250 subparts
10 D, E, F, and Q shall be assessed for all inspections com-
11 pleted in fiscal year 2022. Fees for fiscal year 2022 shall
12 be—

13 (1) \$13,260 per inspection for non-rig units op-
14 erating in water depths of 2,500 feet or more;

15 (2) \$11,530 per inspection for non-rig units op-
16 erating in water depths between 500 and 2,499 feet;
17 and

18 (3) \$4,470 per inspection for non-rig units op-
19 erating in water depths of less than 500 feet.

20 (e) The Secretary shall bill designated operators
21 under subsection (b) quarterly, with payment required
22 within 30 days of billing. The Secretary shall bill des-
23 ignated operators under subsection (c) within 30 days of
24 the end of the month in which the inspection occurred,
25 with payment required within 30 days of billing. The Sec-

1 retary shall bill designated operators under subsection (d)
2 with payment required by the end of the following quarter.

3 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
4 BURRO HOLDING FACILITIES

5 SEC. 108. Notwithstanding any other provision of
6 this Act, the Secretary of the Interior may enter into
7 multiyear cooperative agreements with nonprofit organiza-
8 tions and other appropriate entities, and may enter into
9 multiyear contracts in accordance with the provisions of
10 section 3903 of title 41, United States Code (except that
11 the 5-year term restriction in subsection (a) shall not
12 apply), for the long-term care and maintenance of excess
13 wild free roaming horses and burros by such organizations
14 or entities on private land. Such cooperative agreements
15 and contracts may not exceed 10 years, subject to renewal
16 at the discretion of the Secretary.

17 MASS MARKING OF SALMONIDS

18 SEC. 109. The United States Fish and Wildlife Serv-
19 ice shall, in carrying out its responsibilities to protect
20 threatened and endangered species of salmon, implement
21 a system of mass marking of salmonid stocks, intended
22 for harvest, that are released from federally operated or
23 federally financed hatcheries including but not limited to
24 fish releases of coho, chinook, and steelhead species.

1 Marked fish must have a visible mark that can be readily
2 identified by commercial and recreational fishers.

3 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

4 SEC. 110. Notwithstanding any other provision of
5 law, during fiscal year 2022, in carrying out work involv-
6 ing cooperation with State, local, and tribal governments
7 or any political subdivision thereof, Indian Affairs may
8 record obligations against accounts receivable from any
9 such entities, except that total obligations at the end of
10 the fiscal year shall not exceed total budgetary resources
11 available at the end of the fiscal year.

12 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
13 PROGRAM

14 SEC. 111. (a) Notwithstanding any other provision
15 of law relating to Federal grants and cooperative agree-
16 ments, the Secretary of the Interior is authorized to make
17 grants to, or enter into cooperative agreements with, pri-
18 vate nonprofit organizations designated by the Secretary
19 of Labor under title V of the Older Americans Act of 1965
20 to utilize the talents of older Americans in programs au-
21 thorized by other provisions of law administered by the
22 Secretary and consistent with such provisions of law.

23 (b) Prior to awarding any grant or agreement under
24 subsection (a), the Secretary shall ensure that the agree-
25 ment would not—

1 (1) result in the displacement of individuals
2 currently employed by the Department, including
3 partial displacement through reduction of non-over-
4 time hours, wages, or employment benefits;

5 (2) result in the use of an individual under the
6 Department of the Interior Experienced Services
7 Program for a job or function in a case in which a
8 Federal employee is in a layoff status from the same
9 or substantially equivalent job within the Depart-
10 ment; or

11 (3) affect existing contracts for services.

12 OBLIGATION OF FUNDS

13 SEC. 112. Amounts appropriated by this Act to the
14 Department of the Interior shall be available for obligation
15 and expenditure not later than 60 days after the date of
16 enactment of this Act.

17 SEPARATION OF ACCOUNTS

18 SEC. 113. The Secretary of the Interior, in order to
19 implement an orderly transition to separate accounts of
20 the Bureau of Indian Affairs and the Bureau of Indian
21 Education, may transfer funds among and between the
22 successor offices and bureaus affected by the reorganiza-
23 tion only in conformance with the reprogramming guide-
24 lines described in this Act.

1 PAYMENTS IN LIEU OF TAXES (PILT)

2 SEC. 114. Section 6906 of title 31, United States
3 Code, shall be applied by substituting “fiscal year 2022”
4 for “fiscal year 2019”.

5 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE
6 APPROVAL

7 SEC. 115. (a) Subject to subsection (b), in any case
8 in which the Bureau of Safety and Environmental En-
9 forcement or the Bureau of Ocean Energy Management
10 prescribes or approves any departure or use of alternate
11 procedure or equipment, in regards to a plan or permit,
12 under 30 CFR 585.103; 30 CFR 550.141; 30 CFR
13 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head
14 of such bureau shall post a description of such departure
15 or alternate procedure or equipment use approval on such
16 bureau’s publicly available website not more than 15 busi-
17 ness days after such issuance.

18 (b) The head of each bureau may exclude confidential
19 business information.

20 LONG BRIDGE PROJECT

21 SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—
22 On request by the State of Virginia or the District of Co-
23 lumbia for the purpose of the construction of rail and
24 other infrastructure relating to the Long Bridge Project,
25 the Secretary of the Interior may convey to the State or

1 the District of Columbia, as applicable, all right, title, and
2 interest of the United States in and to any portion of the
3 approximately 4.4 acres of National Park Service land de-
4 picted as “Permanent Impact to NPS Land” on the Map
5 dated May 15, 2020, that is identified by the State or
6 the District of Columbia.

7 (b) TERMS AND CONDITIONS.—Such conveyance of
8 the National Park Service land under subsection (a) shall
9 be subject to any terms and conditions that the Secretary
10 may require. If such conveyed land is no longer being used
11 for the purposes specified in this section, the lands or in-
12 terests therein shall revert to the National Park Service
13 after they have been restored or remediated to the satis-
14 faction of the Secretary.

15 (c) CORRECTIONS.—The Secretary and the State or
16 the District of Columbia, as applicable, by mutual agree-
17 ment, may—

18 (1) make minor boundary adjustments to the
19 National Park Service land to be conveyed to the
20 State or the District of Columbia under subsection
21 (a); and

22 (2) correct any minor errors in the Map re-
23 ferred to in subsection (a).

24 (d) DEFINITIONS.—For purposes of this section:

1 (1) LONG BRIDGE PROJECT.—The term “Long
2 Bridge Project” means the rail project, as identified
3 by the Federal Railroad Administration, from
4 Rosslyn (RO) Interlocking in Arlington, Virginia, to
5 L’Enfant (LE) Interlocking in Washington, DC,
6 which includes a bicycle and pedestrian bridge.

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior, acting through the Di-
9 rector of the National Park Service.

10 (3) STATE.—The term “State” means the State
11 of Virginia.

12 INTERAGENCY MOTOR POOL

13 SEC. 117. Notwithstanding any other provision of law
14 or Federal regulation, federally recognized Indian tribes
15 or authorized tribal organizations that receive Tribally-
16 Controlled School Grants pursuant to Public Law 100–
17 297 may obtain interagency motor vehicles and related
18 services for performance of any activities carried out
19 under such grants to the same extent as if they were con-
20 tracting under the Indian Self-Determination and Edu-
21 cation Assistance Act.

22 ALYCE SPOTTED BEAR AND WALTER SOBOLEFF

23 COMMISSION ON NATIVE AMERICAN CHILDREN

24 SEC. 118. Section 3(f) of Public Law 114–244 is
25 amended by striking “3 years” and inserting “5 years”.

1 INDIAN RESERVATION GAMING REGULATIONS

2 SEC. 119. The Ysleta del Sur Pueblo and Alabama
3 and Coshatta Indian Tribes of Texas Restoration Act
4 (Public Law 100–89; 101 Stat. 666) is amended by add-
5 ing at the end the following:

6 **“SEC. 301. RULE OF CONSTRUCTION.**

7 “Nothing in this Act shall be construed to preclude
8 or limit the applicability of the Indian Gaming Regulatory
9 Act (25 U.S.C. 2701 et seq.).”.

10 DELAWARE WATER GAP AUTHORITY

11 SEC. 120. Section 4(b) of The Delaware Water Gap
12 National Recreation Area Improvement Act, as amended
13 by section 1 of Public Law 115–101, is further amended
14 by striking “2021” and inserting “2022”.

15 NATIONAL HERITAGE AREAS AND CORRIDORS

16 SEC. 121. (a) Section 126 of Public Law 98–398, as
17 amended (98 Stat. 1456; 120 Stat. 1853), is further
18 amended by striking “the date that is 15 years after the
19 date of enactment of this section” and inserting “Sep-
20 tember 30, 2023”.

21 (b) Section 10 of Public Law 99–647, as amended
22 (100 Stat. 3630; 104 Stat. 1018; 120 Stat. 1858; 128
23 Stat. 3804), is further amended by striking “2021” and
24 inserting “2023”.

1 (c) Section 12 of Public Law 100–692, as amended
2 (102 Stat. 4558; 112 Stat. 3258; 123 Stat. 1292; 127
3 Stat. 420; 128 Stat. 314; 128 Stat. 3801), is further
4 amended—

5 (1) in subsection (c)(1), by striking “2021” and
6 inserting “2023”; and

7 (2) in subsection (d), by striking “2021” and
8 inserting “2023”.

9 (d) Section 106(b) of Public Law 103–449, as
10 amended (108 Stat. 4755; 113 Stat. 1726; 123 Stat.
11 1291; 128 Stat. 3802), is further amended by striking
12 “2021” and inserting “2023”.

13 (e) Division II of Public Law 104–333 (54 U.S.C.
14 320101 note), as amended, is further amended by striking
15 “2021” each place it appears in the following sections and
16 inserting “2023”:

17 (1) in subsection 107 (110 Stat. 4244; 127
18 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

19 (2) in subsection 408 (110 Stat. 4256; 127
20 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

21 (3) in subsection 507 (110 Stat. 4260; 127
22 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

23 (4) in subsection 707 (110 Stat. 4267; 127
24 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

1 (5) in subsection 809 (110 Stat. 4275; 122
2 Stat. 826; 127 Stat. 420; 128 Stat. 314; 128 Stat.
3 3801);

4 (6) in subsection 910 (110 Stat. 4281; 127
5 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

6 (7) in subsection 310 (110 Stat. 4252; 127
7 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
8 661; 133 Stat. 778);

9 (8) in subsection 607 (110 Stat. 4264; 127
10 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
11 661; 133 Stat. 778–779); and

12 (9) in subsection 208 (110 Stat. 4248; 127
13 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
14 661; 133 Stat. 778).

15 (f) Section 109 of Public Law 105–355, as amended
16 (112 Stat. 3252; 128 Stat. 3802), is further amended by
17 striking “2021” and inserting “2023”.

18 (g) Public Law 106–278 (54 U.S.C. 320101 note),
19 as amended, is further amended:

20 (1) in section 108 (114 Stat. 818; 127 Stat.
21 420; 128 Stat. 314; 128 Stat. 3802) by striking
22 “2021” and inserting “2023”; and

23 (2) in section 209 (114 Stat. 824; 128 Stat.
24 3802) by striking “2021” and inserting “2023”.

1 (h) Section 157(i) of Public Law 106–291, as amend-
2 ed (114 Stat. 967; 128 Stat. 3082), is further amended
3 by striking “2021” and inserting “2023”.

4 (i) Section 7 of Public Law 106–319, as amended
5 (114 Stat. 1284; 128 Stat. 3082), is further amended by
6 striking “2021” and inserting “2023”.

7 (j) Section 811 of Title VIII of appendix D of Public
8 Law 106–554, as amended (114 Stat. 2763, 2763A–295;
9 128 Stat. 3802), is further amended by striking “2021”
10 and inserting “2023”.

11 (k) Section 140(j) Public Law 108–108, as amended
12 (117 Stat. 1274; 131 Stat. 461; 132 Stat. 661; 133 Stat.
13 778), is further amended by striking “2021” and inserting
14 “2023”.

15 (l) Title II of Public Law 109–338 (54 U.S.C.
16 320101 note; 120 Stat. 1787–1845), as amended, is fur-
17 ther amended:

18 (1) in each of sections 208, 221, 240, 260, 269,
19 289, 291J, 295L and 297H by striking “the date
20 that is 15 years after the date of enactment of this
21 Act” and inserting “September 30, 2023”; and

22 (2) in section 280B by striking “the day occur-
23 ring 15 years after the date of the enactment of this
24 subtitle” and inserting “September 30, 2023”.

1 (m) Section 810(a)(1) of title VIII of division B of
2 appendix D of Public Law 106–554, as amended (114
3 Stat. 2763; 123 Stat. 1295; 131 Stat. 461; 133 Stat.
4 2714), is further amended by striking “\$14,000,000” and
5 inserting “\$16,000,000”.

6 (n) Section 125(a) of Public Law 98–398, as amend-
7 ed by section 402 of Public Law 109–338 (120 Stat.
8 1853), is amended by striking “\$10,000,000” and insert-
9 ing “\$12,000,000”.

10 (o) Section 210(a) of title II of Public Law 106–278
11 (114 Stat. 824) is amended by striking “\$10,000,000”
12 and inserting “\$12,000,000”.

13 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC
14 TRAIL

15 SEC. 122. (a) STUDY.—The Secretary of the Interior
16 (Secretary) shall conduct a study to evaluate—

17 (1) resources associated with the 1965 Voting Rights
18 March from Selma to Montgomery not currently part of
19 the Selma to Montgomery National Historic Trail (Trail)
20 (16 U.S.C. 1244(a)(20)) that would be appropriate for ad-
21 dition to the Trail; and

22 (2) the potential designation of the Trail as a unit
23 of the National Park System instead of, or in addition to,
24 remaining a designated part of the National Trails Sys-
25 tem.

1 (b) REPORT.—Not later than one year after the date
2 of enactment of this Act, the Secretary shall submit to
3 the House and Senate Committees on Appropriations, the
4 Committee on Natural Resources of the House of Rep-
5 resentatives and the Committee on Energy and Natural
6 Resources of the Senate a report that describes the results
7 of the study and the conclusions and recommendations of
8 the study.

9 RESTRICTION ON USE OF FUNDS

10 SEC. 123. (a) None of the funds made available in
11 this Act may be used by the Secretary of the Interior or
12 the Bureau of Ocean Energy Management to conduct or
13 authorize oil and gas preleasing, leasing, or related activi-
14 ties, including but not limited to the issuance of permits
15 for geological and geophysical exploration, in any planning
16 area where the 2017–2022 Outer Continental Shelf Oil
17 and Gas Leasing Proposed Final Program (November
18 2016) did not schedule leases.

19 (b) The restrictions under subsection (a) apply to the
20 formal steps identified by the Department of the Interior
21 and the enabling steps prior to leasing, including the
22 issuance of permits for geological and geophysical explo-
23 ration.

1 INDIAN REORGANIZATION ACT

2 SEC. 124. (a) MODIFICATION.—(1) IN GENERAL.—

3 The first sentence of section 19 of the Act of June 18,
4 1934 (commonly known as the “Indian Reorganization
5 Act”) (25 U.S.C. 5129), is amended—

6 (A) by striking “The term” and inserting “Effective
7 beginning on June 18, 1934, the term”; and

8 (B) by striking “any recognized Indian tribe now
9 under Federal jurisdiction” and inserting “any federally
10 recognized Indian tribe”.

11 (2) EFFECTIVE DATE.— The amendments made by
12 paragraph (1) shall take effect as if included in the Act
13 of June 18, 1934 (commonly known as the “Indian Reor-
14 ganization Act”) (25 U.S.C. 5129), on the date of enact-
15 ment of that Act.

16 (b) RATIFICATION AND CONFIRMATION OF AC-
17 TIONS.— Any action taken by the Secretary of the Interior
18 pursuant to the Act of June 18, 1934 (commonly known
19 as the “Indian Reorganization Act”) (25 U.S.C. 5101 et
20 seq.) for any Indian tribe that was federally recognized
21 on the date of the action is ratified and confirmed, to the
22 extent such action is subjected to challenge based on
23 whether the Indian tribe was federally recognized or under
24 Federal jurisdiction on June 18, 1934, as if the action

1 had, by prior act of Congress, been specifically authorized
2 and directed.

3 (c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.—
4 Nothing in this section or the amendments made by this
5 section affects—

6 (A) the application or effect of any Federal law other
7 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
8 (as amended by subsection (a)); or

9 (B) any limitation on the authority of the Secretary
10 of the Interior under any Federal law or regulation other
11 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
12 (as so amended).

13 (2) REFERENCES IN OTHER LAWS.— An express ref-
14 erence to the Act of June 18, 1934 (25 U.S.C. 5101 et
15 seq.) contained in any other Federal law shall be consid-
16 ered to be a reference to that Act as amended by sub-
17 section (a).

18 BIG CYPRESS NATIONAL PRESERVE

19 SEC. 125. The Secretary of the Interior, acting
20 through the Director of the National Park Service, shall
21 prepare an environmental impact statement under the Na-
22 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
23 et seq.), prior to approving an operations permit, as de-
24 scribed in 36 Code of Federal Regulations, subpart B
25 §§9.80 through 9.90, for the purpose of conducting or pro-

1 posing to conduct non-federal oil or gas operations within
2 the Big Cypress National Preserve.

3 OFFSHORE DECOMMISSIONING

4 SEC. 126. (a) Effective upon the date of enactment
5 of this Act, the fifth and sixth provisos under the amended
6 heading “Royalty and Offshore Minerals Management”
7 for the Minerals Management Service in Public Law 101–
8 512 shall have no force or effect.

9 (b) Beginning on the date of enactment of this Act,
10 and in each fiscal year hereafter—

11 (1) That notwithstanding section 3302 of title
12 31, any moneys hereafter received as a result of the
13 forfeiture of a bond or other security by an Outer
14 Continental Shelf permittee, lessee, or right-of-way
15 holder that does not fulfill the requirements of its
16 permit, lease, or right-of-way or does not comply
17 with the regulations of the Secretary, or as a bank-
18 ruptcy distribution or settlement associated with
19 such failure or noncompliance, shall be credited to a
20 separate account established in the Treasury for de-
21 commissioning activities and shall be available to the
22 Bureau of Ocean Energy Management without fur-
23 ther appropriation or fiscal year limitation to cover
24 the cost to the United States of any improvement,
25 protection, rehabilitation, or decommissioning work

1 rendered necessary by the action or inaction that led
2 to the forfeiture or bankruptcy distribution or settle-
3 ment, to remain available until expended.

4 (2) That amounts deposited into the decommis-
5 sioning account may be allocated to the Bureau of
6 Safety and Environmental Enforcement for such
7 costs.

8 (3) That any moneys received for such costs
9 currently held in the Ocean Energy Management ac-
10 count shall be transferred to the decommissioning
11 account.

12 (4) That any portion of the moneys so credited
13 shall be returned to the bankruptcy estate, per-
14 mittee, lessee, or right-of-way holder to the extent
15 that the money is in excess of the amount expended
16 in performing the work necessitated by the action or
17 inaction which led to their receipt or, if the bond or
18 security was forfeited for failure to pay the civil pen-
19 alty, in excess of the civil penalty imposed.

20 EXHAUSTION OF ADMINISTRATIVE REVIEW

21 SEC. 127. Paragraph (1) of section 122(a) of division
22 E of Public Law 112–74 (125 Stat. 1013) is amended
23 by striking “through 2022,” in the first sentence and in-
24 serting “through 2027.”.

1 TITLE II

2 ENVIRONMENTAL PROTECTION AGENCY

3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and
5 development activities, which shall include research and
6 development activities under the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980; necessary expenses for personnel and related costs
9 and travel expenses; procurement of laboratory equipment
10 and supplies; hire, maintenance, and operation of aircraft;
11 and other operating expenses in support of research and
12 development, \$807,262,000, to remain available until Sep-
13 tember 30, 2023: *Provided*, That of the funds included
14 under this heading, \$8,500,000 shall be for Research: Na-
15 tional Priorities as specified in the report accompanying
16 this Act.

17 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

18 For environmental programs and management, in-
19 cluding necessary expenses not otherwise provided for, for
20 personnel and related costs and travel expenses; hire of
21 passenger motor vehicles; hire, maintenance, and oper-
22 ation of aircraft; purchase of reprints; library member-
23 ships in societies or associations which issue publications
24 to members only or at a price to members lower than to
25 subscribers who are not members; administrative costs of

1 the brownfields program under the Small Business Liabil-
2 ity Relief and Brownfields Revitalization Act of 2002; im-
3 plementation of a coal combustion residual permit pro-
4 gram under section 2301 of the Water and Waste Act of
5 2016; and not to exceed \$9,000 for official reception and
6 representation expenses, \$3,364,206,000, to remain avail-
7 able until September 30, 2023: *Provided*, That of the
8 funds included under this heading, \$23,700,000 shall be
9 for Environmental Protection: National Priorities as speci-
10 fied in the report accompanying this Act: *Provided further*,
11 That of the funds included under this heading,
12 \$642,747,000 shall be for Geographic Programs specified
13 in the report accompanying this Act: *Provided further*,
14 That of the funds provided under this heading, the Chem-
15 ical Risk Review and Reduction program project shall be
16 allocated funds for this fiscal year not less than the
17 amount of appropriations for that program project for fis-
18 cal year 2014.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, \$54,347,000, to remain available
23 until September 30, 2023.

1 BUILDINGS AND FACILITIES

2 For construction, repair, improvement, extension, al-
3 teration, and purchase of fixed equipment or facilities of,
4 or for use by, the Environmental Protection Agency,
5 \$62,752,000, to remain available until expended.

6 HAZARDOUS SUBSTANCE SUPERFUND

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses to carry out the Comprehen-
9 sive Environmental Response, Compensation, and Liabil-
10 ity Act of 1980 (CERCLA), including sections 111(c)(3),
11 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
12 maintenance, and operation of aircraft, \$1,536,308,000,
13 to remain available until expended, consisting of such
14 sums as are available in the Trust Fund on September
15 30, 2021, as authorized by section 517(a) of the Super-
16 fund Amendments and Reauthorization Act of 1986
17 (SARA) and up to \$1,536,308,000 as a payment from
18 general revenues to the Hazardous Substance Superfund
19 for purposes as authorized by section 517(b) of SARA:
20 *Provided*, That funds appropriated under this heading
21 may be allocated to other Federal agencies in accordance
22 with section 111(a) of CERCLA: *Provided further*, That
23 of the funds appropriated under this heading,
24 \$11,800,000 shall be paid to the “Office of Inspector Gen-
25 eral” appropriation to remain available until September

1 30, 2023, and \$32,985,000 shall be paid to the “Science
2 and Technology” appropriation to remain available until
3 September 30, 2023.

4 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
5 PROGRAM

6 For necessary expenses to carry out leaking under-
7 ground storage tank cleanup activities authorized by sub-
8 title I of the Solid Waste Disposal Act, \$92,376,000, to
9 remain available until expended, of which \$67,007,000
10 shall be for carrying out leaking underground storage tank
11 cleanup activities authorized by section 9003(h) of the
12 Solid Waste Disposal Act; \$25,369,000 shall be for car-
13 rying out the other provisions of the Solid Waste Disposal
14 Act specified in section 9508(c) of the Internal Revenue
15 Code: *Provided*, That the Administrator is authorized to
16 use appropriations made available under this heading to
17 implement section 9013 of the Solid Waste Disposal Act
18 to provide financial assistance to federally recognized In-
19 dian tribes for the development and implementation of
20 programs to manage underground storage tanks.

21 INLAND OIL SPILL PROGRAMS

22 For expenses necessary to carry out the Environ-
23 mental Protection Agency’s responsibilities under the Oil
24 Pollution Act of 1990, including hire, maintenance, and
25 operation of aircraft, \$22,409,000, to be derived from the

1 Oil Spill Liability trust fund, to remain available until ex-
2 pended.

3 STATE AND TRIBAL ASSISTANCE GRANTS

4 For environmental programs and infrastructure as-
5 sistance, including capitalization grants for State revolv-
6 ing funds and performance partnership grants,
7 \$5,324,303,000, to remain available until expended, of
8 which—

9 (1) \$1,870,680,000 shall be for making capital-
10 ization grants for the Clean Water State Revolving
11 Funds under title VI of the Federal Water Pollution
12 Control Act; and of which \$1,357,934,000 shall be
13 for making capitalization grants for the Drinking
14 Water State Revolving Funds under section 1452 of
15 the Safe Drinking Water Act: *Provided*, That
16 \$222,431,651 of the funds made available for cap-
17 italization grants for the Clean Water State Revolv-
18 ing Funds and \$206,146,044 of the funds made
19 available for capitalization grants for the Drinking
20 Water State Revolving Funds shall be for Commu-
21 nity Project Funding grants for the construction of
22 drinking water, wastewater, and storm water infra-
23 structure and for water quality protection in accord-
24 ance with the terms and conditions specified for
25 such grants in the report accompanying this Act,

1 and, for purposes of these grants, each grantee shall
2 contribute not less than 20 percent of the cost of the
3 project unless the grantee is approved for a waiver
4 by the Agency: *Provided further*, That for fiscal year
5 2022, to the extent there are sufficient eligible
6 project applications and projects are consistent with
7 State Intended Use Plans, not less than 10 percent
8 of the funds made available under this title to each
9 State for Clean Water State Revolving Fund capital-
10 ization grants shall be used by the State for projects
11 to address green infrastructure, water or energy effi-
12 ciency improvements, or other environmentally inno-
13 vative activities: *Provided further*, That for fiscal
14 year 2022, funds made available under this title to
15 each State for Drinking Water State Revolving
16 Fund capitalization grants may, at the discretion of
17 each State, be used for projects to address green in-
18 frastructure, water or energy efficiency improve-
19 ments, or other environmentally innovative activities:
20 *Provided further*, That notwithstanding section
21 603(d)(7) of the Federal Water Pollution Control
22 Act, the limitation on the amounts in a State water
23 pollution control revolving fund that may be used by
24 a State to administer the fund shall not apply to
25 amounts included as principal in loans made by such

1 fund in fiscal year 2022 and prior years where such
2 amounts represent costs of administering the fund
3 to the extent that such amounts are or were deemed
4 reasonable by the Administrator, accounted for separately from other assets in the fund, and used for
5 eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2022,
6 notwithstanding the provisions of subsections (g)(1),
7 (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of
8 such Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, the United States
9 Virgin Islands, and the District of Columbia may
10 also be made for the purpose of providing assistance:
11 (1) solely for facility plans, design activities, or
12 plans, specifications, and estimates for any proposed
13 project for the construction of treatment works; and
14 (2) for the construction, repair, or replacement of
15 privately owned treatment works serving one or
16 more principal residences or small commercial establishments: *Provided further*, That for fiscal year
17 2022, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section
18 518(c) of the Federal Water Pollution Control
19 Act, funds reserved by the Administrator for grants
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1 under section 518(c) of the Federal Water Pollution
2 Control Act may also be used to provide assistance:
3 (1) solely for facility plans, design activities, or
4 plans, specifications, and estimates for any proposed
5 project for the construction of treatment works; and
6 (2) for the construction, repair, or replacement of
7 privately owned treatment works serving one or
8 more principal residences or small commercial estab-
9 lishments: *Provided further*, That for fiscal year
10 2022, notwithstanding any provision of the Federal
11 Water Pollution Control Act and regulations issued
12 pursuant thereof, up to a total of \$2,000,000 of the
13 funds reserved by the Administrator for grants
14 under section 518(c) of such Act may also be used
15 for grants for training, technical assistance, and
16 educational programs relating to the operation and
17 management of the treatment works specified in sec-
18 tion 518(c) of such Act: *Provided further*, That for
19 fiscal year 2022, funds reserved under section
20 518(c) of such Act shall be available for grants only
21 to Indian tribes, as defined in section 518(h) of such
22 Act and former Indian reservations in Oklahoma (as
23 determined by the Secretary of the Interior) and Na-
24 tive Villages as defined in Public Law 92-203: *Pro-*
25 *vided further*, That for fiscal year 2022, notwith-

1 standing the limitation on amounts in section 518(c)
2 of the Federal Water Pollution Control Act, up to a
3 total of 2 percent of the funds appropriated, or
4 \$30,000,000, whichever is greater, and notwith-
5 standing the limitation on amounts in section
6 1452(i) of the Safe Drinking Water Act, up to a
7 total of 2 percent of the funds appropriated, or
8 \$20,000,000, whichever is greater, for State Revolv-
9 ing Funds under such Acts may be reserved by the
10 Administrator for grants under section 518(c) and
11 section 1452(i) of such Acts: *Provided further*, That
12 for fiscal year 2022, notwithstanding the amounts
13 specified in section 205(c) of the Federal Water Pol-
14 lution Control Act, up to 1.5 percent of the aggre-
15 gate funds appropriated for the Clean Water State
16 Revolving Fund program under the Act less any
17 sums reserved under section 518(c) of the Act, may
18 be reserved by the Administrator for grants made
19 under title II of the Federal Water Pollution Control
20 Act for American Samoa, Guam, the Commonwealth
21 of the Northern Marianas, and United States Virgin
22 Islands: *Provided further*, That for fiscal year 2022,
23 notwithstanding the limitations on amounts specified
24 in section 1452(j) of the Safe Drinking Water Act,
25 up to 1.5 percent of the funds appropriated for the

1 Drinking Water State Revolving Fund programs
2 under the Safe Drinking Water Act may be reserved
3 by the Administrator for grants made under section
4 1452(j) of the Safe Drinking Water Act: *Provided*
5 *further*, That 10 percent of the funds made available
6 under this title to each State for Clean Water State
7 Revolving Fund capitalization grants and 14 percent
8 of the funds made available under this title to each
9 State for Drinking Water State Revolving Fund cap-
10 italization grants shall be used by the State to pro-
11 vide additional subsidy to eligible recipients in the
12 form of forgiveness of principal, negative interest
13 loans, or grants (or any combination of these), and
14 shall be so used by the State only where such funds
15 are provided as initial financing for an eligible re-
16 cipient or to buy, refinance, or restructure the debt
17 obligations of eligible recipients only where such debt
18 was incurred on or after the date of enactment of
19 this Act, or where such debt was incurred prior to
20 the date of enactment of this Act if the State, with
21 concurrence from the Administrator, determines that
22 such funds could be used to help address a threat
23 to public health from heightened exposure to lead in
24 drinking water or if a Federal or State emergency
25 declaration has been issued due to a threat to public

1 health from heightened exposure to lead in a munic-
2 ipal drinking water supply before the date of enact-
3 ment of this Act: *Provided further*, That in a State
4 in which such an emergency declaration has been
5 issued, the State may use more than 14 percent of
6 the funds made available under this title to the
7 State for Drinking Water State Revolving Fund cap-
8 italization grants to provide additional subsidy to eli-
9 gible recipients;

10 (2) \$35,000,000 shall be for architectural, engi-
11 neering, planning, design, construction and related
12 activities in connection with the construction of high
13 priority water and wastewater facilities in the area
14 of the United States-Mexico Border, after consulta-
15 tion with the appropriate border commission: *Pro-*
16 *vided*, That no funds provided by this appropriations
17 Act to address the water, wastewater and other crit-
18 ical infrastructure needs of the colonias in the
19 United States along the United States-Mexico bor-
20 der shall be made available to a county or municipal
21 government unless that government has established
22 an enforceable local ordinance, or other zoning rule,
23 which prevents in that jurisdiction the development
24 or construction of any additional colonia areas, or
25 the development within an existing colonia the con-

1 construction of any new home, business, or other struc-
2 ture which lacks water, wastewater, or other nec-
3 essary infrastructure;

4 (3) \$36,186,000 shall be for grants to the State
5 of Alaska to address drinking water and wastewater
6 infrastructure needs of rural and Alaska Native Vil-
7 lages: *Provided*, That of these funds: (A) the State
8 of Alaska shall provide a match of 25 percent; (B)
9 no more than 5 percent of the funds may be used
10 for administrative and overhead expenses; and (C)
11 the State of Alaska shall make awards consistent
12 with the Statewide priority list established in con-
13 junction with the Agency and the U.S. Department
14 of Agriculture for all water, sewer, waste disposal,
15 and similar projects carried out by the State of Alas-
16 ka that are funded under section 221 of the Federal
17 Water Pollution Control Act (33 U.S.C. 1301) or
18 the Consolidated Farm and Rural Development Act
19 (7 U.S.C. 1921 et seq.) which shall allocate not less
20 than 25 percent of the funds provided for projects
21 in regional hub communities;

22 (4) \$130,982,000 shall be to carry out section
23 104(k) of the Comprehensive Environmental Re-
24 sponse, Compensation, and Liability Act of 1980
25 (CERCLA), including grants, interagency agree-

1 ments, and associated program support costs: *Pro-*
2 *vided*, That at least 10 percent shall be allocated for
3 assistance in persistent poverty counties: *Provided*
4 *further*, That for purposes of this section, the term
5 “persistent poverty counties” means any county that
6 has had 20 percent or more of its population living
7 in poverty over the past 30 years, as measured by
8 the 1993 Small Area Income and Poverty Estimates,
9 the 2000 decennial census, and the most recent
10 Small Area Income and Poverty Estimates, or any
11 territory or possession of the United States;

12 (5) \$150,000,000 shall be for grants under title
13 VII, subtitle G of the Energy Policy Act of 2005;

14 (6) \$70,000,000 shall be for targeted airshed
15 grants in accordance with the terms and conditions
16 in the report accompanying this Act;

17 (7) \$4,000,000 shall be to carry out the water
18 quality program authorized in section 5004(d) of the
19 Water Infrastructure Improvements for the Nation
20 Act (Public Law 114–322);

21 (8) \$40,000,000 shall be for grants under sub-
22 sections (a) through (j) of section 1459A of the Safe
23 Drinking Water Act (42 U.S.C. 300j–19a);

1 (9) \$36,500,000 shall be for grants under sec-
2 tion 1464(d) of the Safe Drinking Water Act (42
3 U.S.C. 300j-24(d));

4 (10) \$81,515,000 shall be for grants under sec-
5 tion 1459B of the Safe Drinking Water Act (42
6 U.S.C. 300j-19b);

7 (11) \$9,000,000 shall be for grants under sec-
8 tion 1459A(l) of the Safe Drinking Water Act (42
9 U.S.C. 300j-19a(l));

10 (12) \$20,000,000 shall be for grants under sec-
11 tion 104(b)(8) of the Federal Water Pollution Con-
12 trol Act (33 U.S.C. 1254(b)(8));

13 (13) \$60,000,000 shall be for grants under sec-
14 tion 221 of the Federal Water Pollution Control Act
15 (33 U.S.C. 1301);

16 (14) \$5,000,000 shall be for grants under sec-
17 tion 4304(b) of the America's Water Infrastructure
18 Act of 2018 (Public Law 115-270);

19 (15) \$55,000,000 shall be for carrying out sec-
20 tion 302(a) of the Save Our Seas 2.0 Act (33 U.S.C.
21 4282(a)), of which not more than 2 percent shall be
22 for administrative costs to carry out such section:
23 *Provided*, That grants made pursuant to such au-
24 thority may also be used for the construction, main-
25 tenance, and operation of postconsumer materials

1 management or recycling facilities: *Provided further*,
2 That notwithstanding section 302(a) of such Act,
3 the Administrator may also provide grants pursuant
4 to such authority to intertribal consortia consistent
5 with the requirements in 40 C.F.R. 35.504(a), to
6 former Indian reservations in Oklahoma (as deter-
7 mined by the Secretary of the Interior), and Alaska
8 Native Villages as defined in Public Law 92–203;

9 (16) \$1,262,506,000 shall be for grants, includ-
10 ing associated program support costs, to States, fed-
11 erally recognized tribes, interstate agencies, tribal
12 consortia, and air pollution control agencies for
13 multi-media or single media pollution prevention,
14 control and abatement, and related activities, includ-
15 ing activities pursuant to the provisions set forth
16 under this heading in Public Law 104–134, and for
17 making grants under section 103 of the Clean Air
18 Act for particulate matter monitoring and data col-
19 lection activities subject to terms and conditions
20 specified by the Administrator, and under section
21 2301 of the Water and Waste Act of 2016 to assist
22 States in developing and implementing programs for
23 control of coal combustion residuals, of which:
24 \$49,000,000 shall be for carrying out section 128 of
25 CERCLA; \$9,525,000 shall be for Environmental

1 Information Exchange Network grants, including as-
2 sociated program support costs; \$1,505,000 shall be
3 for grants to States under section 2007(f)(2) of the
4 Solid Waste Disposal Act, which shall be in addition
5 to funds appropriated under the heading “Leaking
6 Underground Storage Tank Trust Fund Program”
7 to carry out the provisions of the Solid Waste Dis-
8 posal Act specified in section 9508(c) of the Internal
9 Revenue Code other than section 9003(h) of the
10 Solid Waste Disposal Act; \$18,000,000 of the funds
11 available for grants under section 106 of the Federal
12 Water Pollution Control Act shall be for State par-
13 ticipation in national- and State-level statistical sur-
14 veys of water resources and enhancements to State
15 monitoring programs; and

16 (17) \$100,000,000 shall be for environmental
17 justice implementation and training grants, includ-
18 ing Environmental Justice Competitive Grant Pro-
19 gram grants for grants to reduce the dispropor-
20 tionate health impacts of environmental pollution in
21 the environmental justice community; Environmental
22 Justice Community Grant Program grants for
23 grants to local governments and nonprofits to reduce
24 the disproportionate health impacts of environmental
25 pollution in environmental justice communities; En-

1 vironmental Justice State Grant Program grants for
2 grants to states to create or support state environ-
3 mental justice programs; Environmental Justice
4 Tribal Grant Program grants for grants to tribes or
5 intertribal consortia to support tribal work to elimi-
6 nate disproportionately adverse human health or en-
7 vironmental effects on environmental justice commu-
8 nities in tribal and indigenous communities; Commu-
9 nity-based Participatory Research Grant Program
10 grants for competitive grants to institutions of high-
11 er education to develop partnerships with commu-
12 nity-based organizations to improve the health out-
13 comes of residents and workers in environmental
14 justice communities; and Environmental Justice
15 Training Program grants for grants to nonprofits
16 for multi-media or single media activities to increase
17 the capacity of residents of underserved communities
18 to identify and address disproportionately adverse
19 human health or environmental effects of pollution.

20 WATER INFRASTRUCTURE FINANCE AND INNOVATION

21 PROGRAM ACCOUNT

22 For the cost of direct loans and for the cost of guar-
23 anteed loans, as authorized by the Water Infrastructure
24 Finance and Innovation Act of 2014, \$72,108,000, to re-
25 main available until expended: *Provided*, That such costs,

1 including the cost of modifying such loans, shall be as de-
2 fined in section 502 of the Congressional Budget Act of
3 1974: *Provided further*, That these funds are available to
4 subsidize gross obligations for the principal amount of di-
5 rect loans, including capitalized interest, and total loan
6 principal, including capitalized interest, any part of which
7 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*
8 *vided further*, That of the funds made available under this
9 heading, \$5,000,000 shall be used solely for the cost of
10 direct loans and for the cost of guaranteed loans for
11 projects described in section 5026(9) of the Water Infra-
12 structure Finance and Innovation Act of 2014 to State
13 infrastructure financing authorities, as authorized by sec-
14 tion 5033(e) of such Act: *Provided further*, That the use
15 of direct loans or loan guarantee authority under this
16 heading for direct loans or commitments to guarantee
17 loans for any project shall be in accordance with the cri-
18 teria published in the Federal Register on June 30, 2020
19 (85 FR 39189) pursuant to the fourth proviso under the
20 heading “Water Infrastructure Finance and Innovation
21 Program Account” in division D of the Further Consoli-
22 dated Appropriations Act, 2020 (Public Law 116–94):
23 *Provided further*, That none of the direct loans or loan
24 guarantee authority made available under this heading
25 shall be available for any project unless the Administrator

1 and the Director of the Office of Management and Budget
2 have certified in advance in writing that the direct loan
3 or loan guarantee, as applicable, and the project comply
4 with the criteria referenced in the previous proviso: *Pro-*
5 *vided further*, That, for the purposes of carrying out the
6 Congressional Budget Act of 1974, the Director of the
7 Congressional Budget Office may request, and the Admin-
8 istrator shall promptly provide, documentation and infor-
9 mation relating to a project identified in a Letter of Inter-
10 est submitted to the Administrator pursuant to a Notice
11 of Funding Availability for applications for credit assist-
12 ance under the Water Infrastructure Finance and Innova-
13 tion Act Program, including with respect to a project that
14 was initiated or completed before the date of enactment
15 of this Act.

16 In addition, fees authorized to be collected pursuant
17 to sections 5029 and 5030 of the Water Infrastructure
18 Finance and Innovation Act of 2014 shall be deposited
19 in this account, to remain available until expended.

20 In addition, for administrative expenses to carry out
21 the direct and guaranteed loan programs, notwithstanding
22 section 5033 of the Water Infrastructure Finance and In-
23 novation Act of 2014, \$8,000,000, to remain available
24 until September 30, 2023.

1 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
2 PROTECTION AGENCY
3 (INCLUDING TRANSFERS OF FUNDS)

4 For fiscal year 2022, notwithstanding 31 U.S.C.
5 6303(1) and 6305(1), the Administrator of the Environ-
6 mental Protection Agency, in carrying out the Agency's
7 function to implement directly Federal environmental pro-
8 grams required or authorized by law in the absence of an
9 acceptable tribal program, may award cooperative agree-
10 ments to federally recognized Indian tribes or Intertribal
11 consortia, if authorized by their member tribes, to assist
12 the Administrator in implementing Federal environmental
13 programs for Indian tribes required or authorized by law,
14 except that no such cooperative agreements may be award-
15 ed from funds designated for State financial assistance
16 agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8), to remain available until expended.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8(d)(2)), the Administrator of the Environ-

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2022.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate fees in accord-
5 ance with section 3024 of the Solid Waste Disposal Act
6 (42 U.S.C. 6939g) for fiscal year 2022, to remain avail-
7 able until expended.

8 The Administrator of the Environmental Protection
9 Agency is authorized to collect and obligate fees in accord-
10 ance with section 26(b) of the Toxic Substances Control
11 Act (15 U.S.C. 2625(b)) for fiscal year 2022, to remain
12 available until expended.

13 The Administrator is authorized to transfer up to
14 \$375,000,000 of the funds appropriated for the Great
15 Lakes Restoration Initiative under the heading “Environ-
16 mental Programs and Management” to the head of any
17 Federal department or agency, with the concurrence of
18 such head, to carry out activities that would support the
19 Great Lakes Restoration Initiative and Great Lakes
20 Water Quality Agreement programs, projects, or activities;
21 to enter into an interagency agreement with the head of
22 such Federal department or agency to carry out these ac-
23 tivities; and to make grants to governmental entities, non-
24 profit organizations, institutions, and individuals for plan-
25 ning, research, monitoring, outreach, and implementation

1 in furtherance of the Great Lakes Restoration Initiative
2 and the Great Lakes Water Quality Agreement.

3 The Science and Technology, Environmental Pro-
4 grams and Management, Office of Inspector General, Haz-
5 ardous Substance Superfund, and Leaking Underground
6 Storage Tank Trust Fund Program Accounts, are avail-
7 able for the construction, alteration, repair, rehabilitation,
8 and renovation of facilities, provided that the cost does
9 not exceed \$150,000 per project.

10 For fiscal year 2022, and notwithstanding section
11 518(f) of the Federal Water Pollution Control Act (33
12 U.S.C. 1377(f)), the Administrator is authorized to use
13 the amounts appropriated for any fiscal year under section
14 319 of the Act to make grants to Indian tribes pursuant
15 to sections 319(h) and 518(e) of that Act.

16 The Administrator is authorized to use the amounts
17 appropriated under the heading “Environmental Pro-
18 grams and Management” for fiscal year 2022 to provide
19 grants to implement the Southeastern New England Wa-
20 tershed Restoration Program.

21 Notwithstanding the limitations on amounts in sec-
22 tion 320(i)(2)(B) of the Federal Water Pollution Control
23 Act, not less than \$2,000,000 of the funds made available
24 under this title for the National Estuary Program shall

1 be for making competitive awards described in section
2 320(g)(4).

3 Section 122(b)(3) of the Comprehensive Environ-
4 mental Response, Compensation, and Liability Act of
5 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting
6 before the period: “, including for the hire, maintenance,
7 and operation of aircraft.”.

8 The Environmental Protection Agency Working Cap-
9 ital Fund, established by Public Law 104–204 (42 U.S.C.
10 4370e), is available for expenses and equipment necessary
11 for modernization and development of information tech-
12 nology of, or for use by, the Environmental Protection
13 Agency.

14 For fiscal year 2022, the Office of Chemical Safety
15 and Pollution Prevention and the Office of Water may,
16 using funds appropriated under the headings “Environ-
17 mental Programs and Management” and “Science and
18 Technology”, contract directly with individuals or indi-
19 rectly with institutions or nonprofit organizations, without
20 regard to 41 U.S.C. 5, for the temporary or intermittent
21 personal services of students or recent graduates, who
22 shall be considered employees for the purposes of chapters
23 57 and 81 of title 5, United States Code, relating to com-
24 pensation for travel and work injuries, and chapter 171
25 of title 28, United States Code, relating to tort claims,

1 but shall not be considered to be Federal employees for
2 any other purpose: *Provided*, That amounts used for this
3 purpose by the Office of Chemical Safety and Pollution
4 Prevention and the Office of Water collectively may not
5 exceed \$2,000,000.

6 During each of fiscal years 2022 through 2025, the
7 Administrator may, after consultation with the Office of
8 Personnel and Management, employ up to seventy-five
9 persons at any one time in the Office of Research and
10 Development and twenty-five persons at any one time in
11 the Office of Chemical Safety and Pollution Prevention
12 under the authority provided in 42 U.S.C. 209.

13 TITLE III

14 RELATED AGENCIES

15 DEPARTMENT OF AGRICULTURE

16 OFFICE OF THE UNDER SECRETARY FOR NATURAL 17 RESOURCES AND ENVIRONMENT

18 For necessary expenses of the Office of the Under
19 Secretary for Natural Resources and Environment,
20 \$1,396,000: *Provided*, That funds made available by this
21 Act to any agency in the Natural Resources and Environ-
22 ment mission area for salaries and expenses are available
23 to fund up to one administrative support staff for the of-
24 fice.

1 FOREST SERVICE

2 FOREST SERVICE OPERATIONS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, \$1,074,086,000, to remain avail-
6 able through September 30, 2025: *Provided*, That a por-
7 tion of the funds made available under this heading shall
8 be for the base salary and expenses of employees in the
9 Chief's Office, the Work Environment and Performance
10 Office, the Business Operations Deputy Area, and the
11 Chief Financial Officer's Office to carry out administra-
12 tive and general management support functions: *Provided*
13 *further*, That funds provided under this heading shall be
14 available for the costs of facility maintenance, repairs, and
15 leases for buildings and sites where these administrative,
16 general management and other Forest Service support
17 functions take place; the costs of all utility and tele-
18 communication expenses of the Forest Service, as well as
19 business services; and, for information technology, includ-
20 ing cyber security requirements: *Provided further*, That
21 funds provided under this heading may be used for nec-
22 essary expenses to carry out administrative and general
23 management support functions of the Forest Service not
24 otherwise provided for and necessary for its operation.

1 FOREST AND RANGELAND RESEARCH

2 For necessary expenses of forest and rangeland re-
3 search as authorized by law, \$363,797,000, to remain
4 available through September 30, 2025: *Provided*, That of
5 the funds provided, \$22,197,000 is for the forest inventory
6 and analysis program: *Provided further*, That all authori-
7 ties for the use of funds, including the use of contracts,
8 grants, and cooperative agreements, available to execute
9 the Forest and Rangeland Research appropriation, are
10 also available in the utilization of these funds for Fire
11 Science Research.

12 STATE AND PRIVATE FORESTRY

13 For necessary expenses of cooperating with and pro-
14 viding technical and financial assistance to States, terri-
15 tories, possessions, and others, and for forest health man-
16 agement, and conducting an international program and
17 trade compliance activities as authorized, \$324,876,000,
18 to remain available through September 30, 2025, as au-
19 thorized by law.

20 NATIONAL FOREST SYSTEM

21 For necessary expenses of the Forest Service, not
22 otherwise provided for, for management, protection, im-
23 provement, and utilization of the National Forest System,
24 and for hazardous fuels management on or adjacent to
25 such lands, \$2,232,344,000, to remain available through

1 September 30, 2025: *Provided*, That of the funds pro-
2 vided, \$60,000,000 shall be deposited in the Collaborative
3 Forest Landscape Restoration Fund for ecological restora-
4 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
5 *vided further*, That of the funds provided, \$39,017,000
6 shall be for forest products: *Provided further*, That of the
7 funds provided, \$321,388,000 shall be for hazardous fuels
8 management activities, of which not to exceed
9 \$15,000,000 may be used to make grants, using any au-
10 thorities available to the Forest Service under the “State
11 and Private Forestry” appropriation, for the purpose of
12 creating incentives for increased use of biomass from Na-
13 tional Forest System lands: *Provided further*, That
14 \$20,000,000 may be used by the Secretary of Agriculture
15 to enter into procurement contracts or cooperative agree-
16 ments or to issue grants for hazardous fuels management
17 activities, and for training or monitoring associated with
18 such hazardous fuels management activities on Federal
19 land, or on non-Federal land if the Secretary determines
20 such activities benefit resources on Federal land: *Provided*
21 *further*, That funds made available to implement the Com-
22 munity Forest Restoration Act, Public Law 106–393, title
23 VI, shall be available for use on non-Federal lands in ac-
24 cordance with authorities made available to the Forest
25 Service under the “State and Private Forestry” appro-

1 priation: *Provided further*, That notwithstanding section
2 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
3 1012), the Secretary of Agriculture, in calculating a fee
4 for grazing on a National Grassland, may provide a credit
5 of up to 50 percent of the calculated fee to a Grazing As-
6 sociation or direct permittee for a conservation practice
7 approved by the Secretary in advance of the fiscal year
8 in which the cost of the conservation practice is incurred,
9 and that the amount credited shall remain available to the
10 Grazing Association or the direct permittee, as appro-
11 priate, in the fiscal year in which the credit is made and
12 each fiscal year thereafter for use on the project for con-
13 servation practices approved by the Secretary: *Provided*
14 *further*, That funds appropriated to this account shall be
15 available for the base salary and expenses of employees
16 that carry out the functions funded by the “Capital Im-
17 provement and Maintenance” account, the “Range Better-
18 ment Fund” account, and the “Management of National
19 Forests for Subsistence Uses” account.

20 CAPITAL IMPROVEMENT AND MAINTENANCE

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Forest Service, not
23 otherwise provided for, \$153,302,000, to remain available
24 through September 30, 2025, for construction, capital im-
25 provement, maintenance, and acquisition of buildings and

1 other facilities and infrastructure; and for construction,
2 reconstruction, decommissioning of roads that are no
3 longer needed, including unauthorized roads that are not
4 part of the transportation system, and maintenance of for-
5 est roads and trails by the Forest Service as authorized
6 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
7 *vided*, That funds becoming available in fiscal year 2022
8 under the Act of March 4, 1913 (16 U.S.C. 501) shall
9 be transferred to the General Fund of the Treasury and
10 shall not be available for transfer or obligation for any
11 other purpose unless the funds are appropriated.

12 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
13 ACTS

14 For acquisition of lands within the exterior bound-
15 aries of the Cache, Uinta, and Wasatch National Forests,
16 Utah; the Toiyabe National Forest, Nevada; and the An-
17 geles, San Bernardino, Sequoia, and Cleveland National
18 Forests, California; and the Ozark-St. Francis and
19 Ouachita National Forests, Arkansas; as authorized by
20 law, \$664,000, to be derived from forest receipts.

21 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

22 For acquisition of lands, such sums, to be derived
23 from funds deposited by State, county, or municipal gov-
24 ernments, public school districts, or other public school au-
25 thorities, and for authorized expenditures from funds de-

1 posited by non-Federal parties pursuant to Land Sale and
2 Exchange Acts, pursuant to the Act of December 4, 1967
3 (16 U.S.C. 484a), to remain available through September
4 30, 2025, (16 U.S.C. 516–617a, 555a; Public Law 96–
5 586; Public Law 76–589, 76–591; and Public Law 78–
6 310).

7 RANGE BETTERMENT FUND

8 For necessary expenses of range rehabilitation, pro-
9 tection, and improvement, 50 percent of all moneys re-
10 ceived during the prior fiscal year, as fees for grazing do-
11 mestic livestock on lands in National Forests in the 16
12 Western States, pursuant to section 401(b)(1) of Public
13 Law 94–579, to remain available through September 30,
14 2025, of which not to exceed 6 percent shall be available
15 for administrative expenses associated with on-the-ground
16 range rehabilitation, protection, and improvements.

17 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

18 RANGELAND RESEARCH

19 For expenses authorized by 16 U.S.C. 1643(b),
20 \$45,000, to remain available through September 30, 2025,
21 to be derived from the fund established pursuant to the
22 above Act.

1 MANAGEMENT OF NATIONAL FOREST LANDS FOR
2 SUBSISTENCE USES

3 For necessary expenses of the Forest Service to man-
4 age Federal lands in Alaska for subsistence uses under
5 title VIII of the Alaska National Interest Lands Conserva-
6 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain
7 available through September 30, 2025.

8 WILDLAND FIRE MANAGEMENT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for forest fire presuppression
11 activities on National Forest System lands, for emergency
12 wildland fire suppression on or adjacent to such lands or
13 other lands under fire protection agreement, and for emer-
14 gency rehabilitation of burned-over National Forest Sys-
15 tem lands and water, \$2,097,622,000, to remain available
16 until expended: *Provided*, That such funds including unob-
17 ligated balances under this heading, are available for re-
18 payment of advances from other appropriations accounts
19 previously transferred for such purposes: *Provided further*,
20 That any unobligated funds appropriated in a previous fis-
21 cal year for hazardous fuels management may be trans-
22 ferred to the “National Forest System” account: *Provided*
23 *further*, That such funds shall be available to reimburse
24 State and other cooperating entities for services provided
25 in response to wildfire and other emergencies or disasters

1 to the extent such reimbursements by the Forest Service
2 for non-fire emergencies are fully repaid by the responsible
3 emergency management agency: *Provided further*, That
4 funds provided shall be available for support to Federal
5 emergency response: *Provided further*, That the costs of
6 implementing any cooperative agreement between the Fed-
7 eral Government and any non-Federal entity may be
8 shared, as mutually agreed on by the affected parties: *Pro-*
9 *vided further*, That of the funds provided under this head-
10 ing, \$1,011,000,000 shall be available for wildfire suppres-
11 sion operations, and is provided to the meet the terms of
12 section 1(h) of H. Res. 467 of the 117th Congress as en-
13 grossed in the House of Representatives on June 14,
14 2021.

15 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

16 (INCLUDING TRANSFERS OF FUNDS)

17 In addition to the amounts provided under the head-
18 ing “Department of Agriculture—Forest Service—
19 Wildland Fire Management” for wildfire suppression oper-
20 ations, \$2,120,000,000, to remain available until trans-
21 ferred, is additional new budget authority for purposes of
22 section 1(h) of H. Res. 467 of the 117th Congress as en-
23 grossed in the House of Representatives on June 14,
24 2021: *Provided*, That such amounts may be transferred
25 to and merged with amounts made available under the

1 headings “Department of the Interior—Department-Wide
2 Programs—Wildland Fire Management” and “Depart-
3 ment of Agriculture—Forest Service—Wildland Fire
4 Management” for wildfire suppression operations in the
5 fiscal year in which such amounts are transferred: *Pro-*
6 *vided further*, That amounts may be transferred to the
7 “Wildland Fire Management” accounts in the Department
8 of the Interior or the Department of Agriculture only upon
9 the notification of the House and Senate Committees on
10 Appropriations that all wildfire suppression operations
11 funds appropriated under that heading in this and prior
12 appropriations Acts to the agency to which the funds will
13 be transferred will be obligated within 30 days: *Provided*
14 *further*, That the transfer authority provided under this
15 heading is in addition to any other transfer authority pro-
16 vided by law: *Provided further*, That, in determining
17 whether all wildfire suppression operations funds appro-
18 priated under the heading “Wildland Fire Management”
19 in this and prior appropriations Acts to either the Depart-
20 ment of Agriculture or the Department of the Interior will
21 be obligated within 30 days pursuant to the previous pro-
22 viso, any funds transferred or permitted to be transferred
23 pursuant to any other transfer authority provided by law
24 shall be excluded.

1 COMMUNICATIONS SITE ADMINISTRATION

2 (INCLUDING TRANSFER OF FUNDS)

3 Amounts collected in this fiscal year pursuant to sec-
4 tion 8705(f)(2) of the Agriculture Improvement Act of
5 2018 (Public Law 115–334), shall be deposited in the spe-
6 cial account established by section 8705(f)(1) of such Act,
7 shall be available to cover the costs described in subsection
8 (c)(3) of such section of such Act, and shall remain avail-
9 able until expended: *Provided*, That such amounts shall
10 be transferred to the “National Forest System” account.

11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

12 (INCLUDING TRANSFERS OF FUNDS)

13 Appropriations to the Forest Service for the current
14 fiscal year shall be available for: (1) purchase of passenger
15 motor vehicles; acquisition of passenger motor vehicles
16 from excess sources, and hire of such vehicles; purchase,
17 lease, operation, maintenance, and acquisition of aircraft
18 to maintain the operable fleet for use in Forest Service
19 wildland fire programs and other Forest Service programs;
20 notwithstanding other provisions of law, existing aircraft
21 being replaced may be sold, with proceeds derived or
22 trade-in value used to offset the purchase price for the
23 replacement aircraft; (2) services pursuant to 7 U.S.C.
24 2225, and not to exceed \$100,000 for employment under
25 5 U.S.C. 3109; (3) purchase, erection, and alteration of

1 buildings and other public improvements (7 U.S.C. 2250);
2 (4) acquisition of land, waters, and interests therein pur-
3 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
4 Volunteers in the National Forest Act of 1972 (16 U.S.C.
5 558a, 558d, and 558a note); (6) the cost of uniforms as
6 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
7 lection contracts in accordance with 31 U.S.C. 3718(c).

8 Funds made available to the Forest Service in this
9 Act may be transferred between accounts affected by the
10 Forest Service budget restructure outlined in section 435
11 of division D of the Further Consolidated Appropriations
12 Act, 2020 (Public Law 116–94): *Provided*, That any
13 transfer of funds pursuant to this paragraph shall not in-
14 crease or decrease the funds appropriated to any account
15 in this fiscal year by more than ten percent: *Provided fur-*
16 *ther*, That such transfer authority is in addition to any
17 other transfer authority provided by law.

18 Any appropriations or funds available to the Forest
19 Service may be transferred to the Wildland Fire Manage-
20 ment appropriation for forest firefighting, emergency re-
21 habilitation of burned-over or damaged lands or waters
22 under its jurisdiction, and fire preparedness due to severe
23 burning conditions upon the Secretary of Agriculture’s no-
24 tification of the House and Senate Committees on Appro-
25 priations that all fire suppression funds appropriated

1 under the heading “Wildland Fire Management” will be
2 obligated within 30 days: *Provided*, That all funds used
3 pursuant to this paragraph must be replenished by a sup-
4 plemental appropriation which must be requested as
5 promptly as possible.

6 Not more than \$50,000,000 of funds appropriated to
7 the Forest Service shall be available for expenditure or
8 transfer to the Department of the Interior for wildland
9 fire management, hazardous fuels management, and State
10 fire assistance when such transfers would facilitate and
11 expedite wildland fire management programs and projects.

12 Notwithstanding any other provision of this Act, the
13 Forest Service may transfer unobligated balances of dis-
14 cretionary funds appropriated to the Forest Service by
15 this Act to or within the National Forest System Account,
16 or reprogram funds to be used for the purposes of haz-
17 ardous fuels management and urgent rehabilitation of
18 burned-over National Forest System lands and water,
19 such transferred funds shall remain available through Sep-
20 tember 30, 2025: *Provided*, That none of the funds trans-
21 ferred pursuant to this section shall be available for obli-
22 gation without written notification to and the prior ap-
23 proval of the Committees on Appropriations of both
24 Houses of Congress.

1 Funds appropriated to the Forest Service shall be
2 available for assistance to or through the Agency for Inter-
3 national Development in connection with forest and range-
4 land research, technical information, and assistance in for-
5 eign countries, and shall be available to support forestry
6 and related natural resource activities outside the United
7 States and its territories and possessions, including tech-
8 nical assistance, education and training, and cooperation
9 with U.S., private, and international organizations. The
10 Forest Service, acting for the International Program, may
11 sign direct funding agreements with foreign governments
12 and institutions as well as other domestic agencies (includ-
13 ing the U.S. Agency for International Development, the
14 Department of State, and the Millennium Challenge Cor-
15 poration), U.S. private sector firms, institutions and orga-
16 nizations to provide technical assistance and training pro-
17 grams overseas on forestry and rangeland management.

18 Funds appropriated to the Forest Service shall be
19 available for expenditure or transfer to the Department
20 of the Interior, Bureau of Land Management, for removal,
21 preparation, and adoption of excess wild horses and burros
22 from National Forest System lands, and for the perform-
23 ance of cadastral surveys to designate the boundaries of
24 such lands.

1 None of the funds made available to the Forest Serv-
2 ice in this Act or any other Act with respect to any fiscal
3 year shall be subject to transfer under the provisions of
4 section 702(b) of the Department of Agriculture Organic
5 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
6 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
7 Law 107–171 (7 U.S.C. 8316(b)).

8 Not more than \$82,000,000 of funds available to the
9 Forest Service shall be transferred to the Working Capital
10 Fund of the Department of Agriculture and not more than
11 \$14,500,000 of funds available to the Forest Service shall
12 be transferred to the Department of Agriculture for De-
13 partment Reimbursable Programs, commonly referred to
14 as Greenbook charges. Nothing in this paragraph shall
15 prohibit or limit the use of reimbursable agreements re-
16 quested by the Forest Service in order to obtain informa-
17 tion technology services, including telecommunications and
18 system modifications or enhancements, from the Working
19 Capital Fund of the Department of Agriculture.

20 Of the funds available to the Forest Service, up to
21 \$5,000,000 shall be available for priority projects within
22 the scope of the approved budget, which shall be carried
23 out by the Youth Conservation Corps and shall be carried
24 out under the authority of the Public Lands Corps Act
25 of 1993 (16 U.S.C. 1721 et seq.).

1 Of the funds available to the Forest Service, \$4,000
2 is available to the Chief of the Forest Service for official
3 reception and representation expenses.

4 Pursuant to sections 405(b) and 410(b) of Public
5 Law 101–593, of the funds available to the Forest Service,
6 up to \$3,000,000 may be advanced in a lump sum to the
7 National Forest Foundation to aid conservation partner-
8 ship projects in support of the Forest Service mission,
9 without regard to when the Foundation incurs expenses,
10 for projects on or benefitting National Forest System
11 lands or related to Forest Service programs: *Provided*,
12 That of the Federal funds made available to the Founda-
13 tion, no more than \$300,000 shall be available for admin-
14 istrative expenses: *Provided further*, That the Foundation
15 shall obtain, by the end of the period of Federal financial
16 assistance, private contributions to match funds made
17 available by the Forest Service on at least a one-for-one
18 basis: *Provided further*, That the Foundation may transfer
19 Federal funds to a Federal or a non-Federal recipient for
20 a project at the same rate that the recipient has obtained
21 the non-Federal matching funds.

22 Pursuant to section 2(b)(2) of Public Law 98–244,
23 up to \$3,000,000 of the funds available to the Forest
24 Service may be advanced to the National Fish and Wildlife
25 Foundation in a lump sum to aid cost-share conservation

1 projects, without regard to when expenses are incurred,
2 on or benefitting National Forest System lands or related
3 to Forest Service programs: *Provided*, That such funds
4 shall be matched on at least a one-for-one basis by the
5 Foundation or its sub-recipients: *Provided further*, That
6 the Foundation may transfer Federal funds to a Federal
7 or non-Federal recipient for a project at the same rate
8 that the recipient has obtained the non-Federal matching
9 funds.

10 Funds appropriated to the Forest Service shall be
11 available for interactions with and providing technical as-
12 sistance to rural communities and natural resource-based
13 businesses for sustainable rural development purposes.

14 Funds appropriated to the Forest Service shall be
15 available for payments to counties within the Columbia
16 River Gorge National Scenic Area, pursuant to section
17 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
18 663.

19 Any funds appropriated to the Forest Service may
20 be used to meet the non-Federal share requirement in sec-
21 tion 502(c) of the Older Americans Act of 1965 (42
22 U.S.C. 3056(c)(2)).

23 The Forest Service shall not assess funds for the pur-
24 pose of performing fire, administrative, and other facilities
25 maintenance and decommissioning.

1 Notwithstanding any other provision of law, of any
2 appropriations or funds available to the Forest Service,
3 not to exceed \$500,000 may be used to reimburse the Of-
4 fice of the General Counsel (OGC), Department of Agri-
5 culture, for travel and related expenses incurred as a re-
6 sult of OGC assistance or participation requested by the
7 Forest Service at meetings, training sessions, management
8 reviews, land purchase negotiations, and similar matters
9 unrelated to civil litigation. Future budget justifications
10 for both the Forest Service and the Department of Agri-
11 culture should clearly display the sums previously trans-
12 ferred and the sums requested for transfer.

13 An eligible individual who is employed in any project
14 funded under title V of the Older Americans Act of 1965
15 (42 U.S.C. 3056 et seq.) and administered by the Forest
16 Service shall be considered to be a Federal employee for
17 purposes of chapter 171 of title 28, United States Code.

18 Funds appropriated to the Forest Service shall be
19 available to pay, from a single account, the base salary
20 and expenses of employees who carry out functions funded
21 by other accounts for Enterprise Program, Geospatial
22 Technology and Applications Center, remnant Natural Re-
23 source Manager, and National Technology and Develop-
24 ment Program.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES

3 INDIAN HEALTH SERVICE

4 INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$5,799,102,000, to remain available until September 30, 2023, except as otherwise provided herein, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b) and 238b), for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That \$2,500,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, in-

1 cluding alcohol detoxification services: *Provided further,*
2 That \$1,191,824,000 for Purchased/Referred Care, in-
3 cluding \$54,000,000 for the Indian Catastrophic Health
4 Emergency Fund, shall remain available until expended:
5 *Provided further,* That of the funds provided, up to
6 \$54,800,000 shall remain available until expended for im-
7 plementation of the loan repayment program under section
8 108 of the Indian Health Care Improvement Act: *Provided*
9 *further,* That of the funds provided, \$58,000,000 shall be
10 for costs related to or resulting from accreditation emer-
11 gencies, including supplementing activities funded under
12 the heading “Indian Health Facilities,” of which up to
13 \$4,000,000 may be used to supplement amounts otherwise
14 available for Purchased/Referred Care: *Provided further,*
15 That the amounts collected by the Federal Government
16 as authorized by sections 104 and 108 of the Indian
17 Health Care Improvement Act (25 U.S.C. 1613a and
18 1616a) during the preceding fiscal year for breach of con-
19 tracts shall be deposited in the Fund authorized by section
20 108A of that Act (25 U.S.C. 1616a–1) and shall remain
21 available until expended and, notwithstanding section
22 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
23 be available to make new awards under the loan repay-
24 ment and scholarship programs under sections 104 and
25 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*

1 *further*, That the amounts made available within this ac-
2 count for the Substance Abuse and Suicide Prevention
3 Program, for Opioid Prevention, Treatment and Recovery
4 Services, for the Domestic Violence Prevention Program,
5 for the Zero Suicide Initiative, for the housing subsidy au-
6 thority for civilian employees, for Aftercare Pilot Pro-
7 grams at Youth Regional Treatment Centers, for trans-
8 formation and modernization costs of the Indian Health
9 Service Electronic Health Record system, for national
10 quality and oversight activities, to improve collections from
11 public and private insurance at Indian Health Service and
12 tribally operated facilities, for an initiative to treat or re-
13 duce the transmission of HIV and HCV, for a maternal
14 health initiative, for the Telebehaviorial Health Center of
15 Excellence, for Alzheimer's grants, for Village Built Clin-
16 ics, for a produce prescription pilot, and for accreditation
17 emergencies shall be allocated at the discretion of the Di-
18 rector of the Indian Health Service and shall remain avail-
19 able until expended: *Provided further*, That funds provided
20 in this Act may be used for annual contracts and grants
21 that fall within 2 fiscal years, provided the total obligation
22 is recorded in the year the funds are appropriated: *Pro-*
23 *vided further*, That the amounts collected by the Secretary
24 of Health and Human Services under the authority of title
25 IV of the Indian Health Care Improvement Act (25 U.S.C.

1 1613) shall remain available until expended for the pur-
2 pose of achieving compliance with the applicable condi-
3 tions and requirements of titles XVIII and XIX of the So-
4 cial Security Act, except for those related to the planning,
5 design, or construction of new facilities: *Provided further*,
6 That funding contained herein for scholarship programs
7 under the Indian Health Care Improvement Act (25
8 U.S.C. 1613) shall remain available until expended: *Pro-*
9 *vided further*, That amounts received by tribes and tribal
10 organizations under title IV of the Indian Health Care Im-
11 provement Act shall be reported and accounted for and
12 available to the receiving tribes and tribal organizations
13 until expended: *Provided further*, That the Bureau of In-
14 dian Affairs may collect from the Indian Health Service,
15 and from tribes and tribal organizations operating health
16 facilities pursuant to Public Law 93–638, such individ-
17 ually identifiable health information relating to disabled
18 children as may be necessary for the purpose of carrying
19 out its functions under the Individuals with Disabilities
20 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,
21 That of the funds provided, \$317,306,000 is for the In-
22 dian Health Care Improvement Fund and may be used,
23 as needed, to carry out activities typically funded under
24 the Indian Health Facilities account: *Provided further*,
25 That none of the funds appropriated by this Act, or any

1 other Act, to the Indian Health Service for the Electronic
2 Health Record system shall be available for obligation or
3 expenditure for the selection or implementation of a new
4 Information Technology infrastructure system, unless the
5 Committees on Appropriations of the House of Represent-
6 atives and the Senate are consulted 90 days in advance
7 of such obligation.

8 CONTRACT SUPPORT COSTS

9 For payments to tribes and tribal organizations for
10 contract support costs associated with Indian Self-Deter-
11 mination and Education Assistance Act agreements with
12 the Indian Health Service for fiscal year 2022, such sums
13 as may be necessary: *Provided*, That notwithstanding any
14 other provision of law, no amounts made available under
15 this heading shall be available for transfer to another
16 budget account: *Provided further*, That amounts obligated
17 but not expended by a tribe or tribal organization for con-
18 tract support costs for such agreements for the current
19 fiscal year shall be applied to contract support costs due
20 for such agreements for subsequent fiscal years.

21 PAYMENTS FOR TRIBAL LEASES

22 For payments to tribes and tribal organizations for
23 leases pursuant to section 105(l) of the Indian Self-Deter-
24 mination and Education Assistance Act (25 U.S.C.
25 5324(l)) for fiscal year 2022, such sums as may be nec-

1 essary, which shall be available for obligation through Sep-
2 tember 30, 2023: *Provided*, That notwithstanding any
3 other provision of law, no amounts made available under
4 this heading shall be available for transfer to another
5 budget account.

6 INDIAN HEALTH FACILITIES

7 For construction, repair, maintenance, demolition,
8 improvement, and equipment of health and related auxil-
9 iary facilities, including quarters for personnel; prepara-
10 tion of plans, specifications, and drawings; acquisition of
11 sites, purchase and erection of modular buildings, and
12 purchases of trailers; and for provision of domestic and
13 community sanitation facilities for Indians, as authorized
14 by section 7 of the Act of August 5, 1954 (42 U.S.C.
15 2004a), the Indian Self-Determination Act, and the In-
16 dian Health Care Improvement Act, and for expenses nec-
17 essary to carry out such Acts and titles II and III of the
18 Public Health Service Act with respect to environmental
19 health and facilities support activities of the Indian Health
20 Service, \$1,285,064,000, to remain available until ex-
21 pended: *Provided*, That notwithstanding any other provi-
22 sion of law, funds appropriated for the planning, design,
23 construction, renovation, or expansion of health facilities
24 for the benefit of an Indian tribe or tribes may be used
25 to purchase land on which such facilities will be located:

1 *Provided further*, That not to exceed \$500,000 may be
2 used by the Indian Health Service to purchase TRANSAM
3 equipment from the Department of Defense for distribu-
4 tion to the Indian Health Service and tribal facilities: *Pro-*
5 *vided further*, That none of the funds appropriated to the
6 Indian Health Service may be used for sanitation facilities
7 construction for new homes funded with grants by the
8 housing programs of the United States Department of
9 Housing and Urban Development.

10 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

11 Appropriations provided in this Act to the Indian
12 Health Service shall be available for services as authorized
13 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
14 equivalent to the maximum rate payable for senior-level
15 positions under 5 U.S.C. 5376; hire of passenger motor
16 vehicles and aircraft; purchase of medical equipment; pur-
17 chase of reprints; purchase, renovation, and erection of
18 modular buildings and renovation of existing facilities;
19 payments for telephone service in private residences in the
20 field, when authorized under regulations approved by the
21 Secretary of Health and Human Services; uniforms, or al-
22 lowances therefor as authorized by 5 U.S.C. 5901–5902;
23 and for expenses of attendance at meetings that relate to
24 the functions or activities of the Indian Health Service:
25 *Provided*, That in accordance with the provisions of the

1 Indian Health Care Improvement Act, non-Indian patients
2 may be extended health care at all tribally administered
3 or Indian Health Service facilities, subject to charges, and
4 the proceeds along with funds recovered under the Federal
5 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
6 be credited to the account of the facility providing the
7 service and shall be available without fiscal year limitation:
8 *Provided further*, That notwithstanding any other law or
9 regulation, funds transferred from the Department of
10 Housing and Urban Development to the Indian Health
11 Service shall be administered under Public Law 86–121,
12 the Indian Sanitation Facilities Act and Public Law 93–
13 638: *Provided further*, That funds appropriated to the In-
14 dian Health Service in this Act, except those used for ad-
15 ministrative and program direction purposes, shall not be
16 subject to limitations directed at curtailing Federal travel
17 and transportation: *Provided further*, That none of the
18 funds made available to the Indian Health Service in this
19 Act shall be used for any assessments or charges by the
20 Department of Health and Human Services unless identi-
21 fied in the budget justification and provided in this Act,
22 or approved by the House and Senate Committees on Ap-
23 propriations through the reprogramming process: *Pro-*
24 *vided further*, That notwithstanding any other provision
25 of law, funds previously or herein made available to a tribe

1 or tribal organization through a contract, grant, or agree-
2 ment authorized by title I or title V of the Indian Self-
3 Determination and Education Assistance Act of 1975 (25
4 U.S.C. 450 et seq.), may be deobligated and reobligated
5 to a self-determination contract under title I, or a self-
6 governance agreement under title V of such Act and there-
7 after shall remain available to the tribe or tribal organiza-
8 tion without fiscal year limitation: *Provided further*, That
9 none of the funds made available to the Indian Health
10 Service in this Act shall be used to implement the final
11 rule published in the Federal Register on September 16,
12 1987, by the Department of Health and Human Services,
13 relating to the eligibility for the health care services of
14 the Indian Health Service until the Indian Health Service
15 has submitted a budget request reflecting the increased
16 costs associated with the proposed final rule, and such re-
17 quest has been included in an appropriations Act and en-
18 acted into law: *Provided further*, That with respect to func-
19 tions transferred by the Indian Health Service to tribes
20 or tribal organizations, the Indian Health Service is au-
21 thorized to provide goods and services to those entities on
22 a reimbursable basis, including payments in advance with
23 subsequent adjustment, and the reimbursements received
24 therefrom, along with the funds received from those enti-
25 ties pursuant to the Indian Self-Determination Act, may

1 be credited to the same or subsequent appropriation ac-
2 count from which the funds were originally derived, with
3 such amounts to remain available until expended: *Provided*
4 *further*, That reimbursements for training, technical as-
5 sistance, or services provided by the Indian Health Service
6 will contain total costs, including direct, administrative,
7 and overhead costs associated with the provision of goods,
8 services, or technical assistance: *Provided further*, That
9 the Indian Health Service may provide to civilian medical
10 personnel serving in hospitals operated by the Indian
11 Health Service housing allowances equivalent to those that
12 would be provided to members of the Commissioned Corps
13 of the United States Public Health Service serving in simi-
14 lar positions at such hospitals: *Provided further*, That the
15 appropriation structure for the Indian Health Service may
16 not be altered without advance notification to the House
17 and Senate Committees on Appropriations.

18 NATIONAL INSTITUTES OF HEALTH

19 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

20 SCIENCES

21 For necessary expenses for the National Institute of
22 Environmental Health Sciences in carrying out activities
23 set forth in section 311(a) of the Comprehensive Environ-
24 mental Response, Compensation, and Liability Act of
25 1980 (42 U.S.C. 9660(a)) and section 126(g) of the

1 Superfund Amendments and Reauthorization Act of 1986,
2 \$83,540,000.

3 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

4 REGISTRY

5 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

6 HEALTH

7 For necessary expenses for the Agency for Toxic Sub-
8 stances and Disease Registry (ATSDR) in carrying out
9 activities set forth in sections 104(i) and 111(c)(4) of the
10 Comprehensive Environmental Response, Compensation,
11 and Liability Act of 1980 (CERCLA) and section 3019
12 of the Solid Waste Disposal Act, \$84,000,000: *Provided*,
13 That notwithstanding any other provision of law, in lieu
14 of performing a health assessment under section 104(i)(6)
15 of CERCLA, the Administrator of ATSDR may conduct
16 other appropriate health studies, evaluations, or activities,
17 including, without limitation, biomedical testing, clinical
18 evaluations, medical monitoring, and referral to accredited
19 healthcare providers: *Provided further*, That in performing
20 any such health assessment or health study, evaluation,
21 or activity, the Administrator of ATSDR shall not be
22 bound by the deadlines in section 104(i)(6)(A) of
23 CERCLA: *Provided further*, That none of the funds appro-
24 priated under this heading shall be available for ATSDR
25 to issue in excess of 40 toxicological profiles pursuant to

1 section 104(i) of CERCLA during fiscal year 2022, and
2 existing profiles may be updated as necessary.

3 OTHER RELATED AGENCIES

4 EXECUTIVE OFFICE OF THE PRESIDENT

5 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

6 ENVIRONMENTAL QUALITY

7 For necessary expenses to continue functions as-
8 signed to the Council on Environmental Quality and Office
9 of Environmental Quality pursuant to the National Envi-
10 ronmental Policy Act of 1969, the Environmental Quality
11 Improvement Act of 1970, and Reorganization Plan No.
12 1 of 1977, and not to exceed \$750 for official reception
13 and representation expenses, \$4,200,000: *Provided*, That
14 notwithstanding section 202 of the National Environ-
15 mental Policy Act of 1970, the Council shall consist of
16 one member, appointed by the President, by and with the
17 advice and consent of the Senate, serving as chairman and
18 exercising all powers, functions, and duties of the Council.

19 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

20 SALARIES AND EXPENSES

21 For necessary expenses in carrying out activities pur-
22 suant to section 112(r)(6) of the Clean Air Act, including
23 hire of passenger vehicles, uniforms or allowances there-
24 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
25 ices authorized by 5 U.S.C. 3109 but at rates for individ-

1 uals not to exceed the per diem equivalent to the maximum
2 rate payable for senior level positions under 5 U.S.C.
3 5376, \$13,400,000: *Provided*, That the Chemical Safety
4 and Hazard Investigation Board (Board) shall have not
5 more than three career Senior Executive Service positions:
6 *Provided further*, That notwithstanding any other provi-
7 sion of law, the individual appointed to the position of In-
8 spector General of the Environmental Protection Agency
9 (EPA) shall, by virtue of such appointment, also hold the
10 position of Inspector General of the Board: *Provided fur-*
11 *ther*, That notwithstanding any other provision of law, the
12 Inspector General of the Board shall utilize personnel of
13 the Office of Inspector General of EPA in performing the
14 duties of the Inspector General of the Board, and shall
15 not appoint any individuals to positions within the Board.

16 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Navajo and
19 Hopi Indian Relocation as authorized by Public Law 93-
20 531, \$3,150,000, to remain available until expended,
21 which shall be derived from unobligated balances from
22 prior year appropriations available under this heading:
23 *Provided*, That funds provided in this or any other appro-
24 priations Act are to be used to relocate eligible individuals
25 and groups including evictees from District 6, Hopi-parti-

tioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), \$11,772,000, which shall become available on July 1, 2022, and shall remain available until September 30, 2023.

1 SMITHSONIAN INSTITUTION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Smithsonian Institu-
4 tion, as authorized by law, including research in the fields
5 of art, science, and history; development, preservation, and
6 documentation of the National Collections; presentation of
7 public exhibits and performances; collection, preparation,
8 dissemination, and exchange of information and publica-
9 tions; conduct of education, training, and museum assist-
10 ance programs; maintenance, alteration, operation, lease
11 agreements of no more than 30 years, and protection of
12 buildings, facilities, and approaches; not to exceed
13 \$100,000 for services as authorized by 5 U.S.C. 3109; and
14 purchase, rental, repair, and cleaning of uniforms for em-
15 ployees, \$872,000,000, to remain available until Sep-
16 tember 30, 2023, except as otherwise provided herein; of
17 which not to exceed \$12,798,000 for the instrumentation
18 program, collections acquisition, exhibition reinstallation,
19 Smithsonian American Women's History Museum, Na-
20 tional Museum of the American Latino, and the repatri-
21 ation of skeletal remains program shall remain available
22 until expended; and including such funds as may be nec-
23 essary to support American overseas research centers:
24 *Provided*, That funds appropriated herein are available for
25 advance payments to independent contractors performing

1 research services or participating in official Smithsonian
2 presentations: *Provided further*, That the Smithsonian In-
3 stitution may expend Federal appropriations designated in
4 this Act for lease or rent payments, as rent payable to
5 the Smithsonian Institution, and such rent payments may
6 be deposited into the general trust funds of the Institution
7 to be available as trust funds for expenses associated with
8 the purchase of a portion of the building at 600 Maryland
9 Avenue, SW, Washington, DC, to the extent that federally
10 supported activities will be housed there: *Provided further*,
11 That the use of such amounts in the general trust funds
12 of the Institution for such purpose shall not be construed
13 as Federal debt service for, a Federal guarantee of, a
14 transfer of risk to, or an obligation of the Federal Govern-
15 ment: *Provided further*, That no appropriated funds may
16 be used directly to service debt which is incurred to fi-
17 nance the costs of acquiring a portion of the building at
18 600 Maryland Avenue, SW, Washington, DC, or of plan-
19 ning, designing, and constructing improvements to such
20 building: *Provided further*, That any agreement entered
21 into by the Smithsonian Institution for the sale of its own-
22 ership interest, or any portion thereof, in such building
23 so acquired may not take effect until the expiration of a
24 30 day period which begins on the date on which the Sec-
25 retary of the Smithsonian submits to the Committees on

1 Appropriations of the House of Representatives and Sen-
2 ate, the Committees on House Administration and Trans-
3 portation and Infrastructure of the House of Representa-
4 tives, and the Committee on Rules and Administration of
5 the Senate a report, as outlined in the explanatory state-
6 ment described in section 4 of the Further Consolidated
7 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.
8 2536) on the intended sale.

9 FACILITIES CAPITAL

10 For necessary expenses of repair, revitalization, and
11 alteration of facilities owned or occupied by the Smithso-
12 nian Institution, by contract or otherwise, as authorized
13 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
14 and for construction, including necessary personnel,
15 \$230,000,000, to remain available until expended, of
16 which not to exceed \$10,000 shall be for services as au-
17 thorized by 5 U.S.C. 3109.

18 NATIONAL GALLERY OF ART

19 SALARIES AND EXPENSES

20 For the upkeep and operations of the National Gal-
21 lery of Art, the protection and care of the works of art
22 therein, and administrative expenses incident thereto, as
23 authorized by the Act of March 24, 1937 (50 Stat. 51),
24 as amended by the public resolution of April 13, 1939
25 (Public Resolution 9, 76th Congress), including services

1 as authorized by 5 U.S.C. 3109; payment in advance when
2 authorized by the treasurer of the Gallery for membership
3 in library, museum, and art associations or societies whose
4 publications or services are available to members only, or
5 to members at a price lower than to the general public;
6 purchase, repair, and cleaning of uniforms for guards, and
7 uniforms, or allowances therefor, for other employees as
8 authorized by law (5 U.S.C. 5901–5902); purchase or
9 rental of devices and services for protecting buildings and
10 contents thereof, and maintenance, alteration, improve-
11 ment, and repair of buildings, approaches, and grounds;
12 and purchase of services for restoration and repair of
13 works of art for the National Gallery of Art by contracts
14 made, without advertising, with individuals, firms, or or-
15 ganizations at such rates or prices and under such terms
16 and conditions as the Gallery may deem proper,
17 \$157,500,000, to remain available until September 30,
18 2023, of which not to exceed \$3,775,000 for the special
19 exhibition program shall remain available until expended.

20 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

21 For necessary expenses of repair, restoration, and
22 renovation of buildings, grounds and facilities owned or
23 occupied by the National Gallery of Art, by contract or
24 otherwise, for operating lease agreements of no more than
25 10 years, with no extensions or renewals beyond the 10

1 years, that address space needs created by the ongoing
2 renovations in the Master Facilities Plan, as authorized,
3 \$26,000,000, to remain available until expended: *Pro-*
4 *vided*, That of this amount, \$11,458,000 shall be available
5 for design of an off-site art storage facility in partnership
6 with the Smithsonian Institution: *Provided further*, That
7 contracts awarded for environmental systems, protection
8 systems, and exterior repair or renovation of buildings of
9 the National Gallery of Art may be negotiated with se-
10 lected contractors and awarded on the basis of contractor
11 qualifications as well as price.

12 JOHN F. KENNEDY CENTER FOR THE PERFORMING
13 ARTS

14 OPERATIONS AND MAINTENANCE

15 For necessary expenses for the operation, mainte-
16 nance, and security of the John F. Kennedy Center for
17 the Performing Arts, \$27,000,000, to remain available
18 until September, 30, 2023.

19 CAPITAL REPAIR AND RESTORATION

20 For necessary expenses for capital repair and restora-
21 tion of the existing features of the building and site of
22 the John F. Kennedy Center for the Performing Arts,
23 \$13,440,000, to remain available until expended.

1 WOODROW WILSON INTERNATIONAL CENTER FOR
2 SCHOLARS
3 SALARIES AND EXPENSES

4 For expenses necessary in carrying out the provisions
5 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
6 1356) including hire of passenger vehicles and services as
7 authorized by 5 U.S.C. 3109, \$14,095,000, to remain
8 available until September 30, 2023.

9 NATIONAL FOUNDATION ON THE ARTS AND THE
10 HUMANITIES
11 NATIONAL ENDOWMENT FOR THE ARTS
12 GRANTS AND ADMINISTRATION

13 For necessary expenses to carry out the National
14 Foundation on the Arts and the Humanities Act of 1965,
15 \$201,000,000 shall be available to the National Endow-
16 ment for the Arts for the support of projects and produc-
17 tions in the arts, including arts education and public out-
18 reach activities, through assistance to organizations and
19 individuals pursuant to section 5 of the Act, for program
20 support, and for administering the functions of the Act,
21 to remain available until expended.

22 NATIONAL ENDOWMENT FOR THE HUMANITIES
23 GRANTS AND ADMINISTRATION

24 For necessary expenses to carry out the National
25 Foundation on the Arts and the Humanities Act of 1965,

1 \$201,000,000 to remain available until expended, of which
2 \$185,400,000 shall be available for support of activities
3 in the humanities, pursuant to section 7(c) of the Act and
4 for administering the functions of the Act; and
5 \$15,600,000 shall be available to carry out the matching
6 grants program pursuant to section 10(a)(2) of the Act,
7 including \$13,600,000 for the purposes of section 7(h):
8 *Provided*, That appropriations for carrying out section
9 10(a)(2) shall be available for obligation only in such
10 amounts as may be equal to the total amounts of gifts,
11 bequests, devises of money, and other property accepted
12 by the chairman or by grantees of the National Endow-
13 ment for the Humanities under the provisions of sections
14 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
15 ceding fiscal years for which equal amounts have not pre-
16 viously been appropriated.

17 ADMINISTRATIVE PROVISIONS

18 None of the funds appropriated to the National
19 Foundation on the Arts and the Humanities may be used
20 to process any grant or contract documents which do not
21 include the text of 18 U.S.C. 1913: *Provided*, That none
22 of the funds appropriated to the National Foundation on
23 the Arts and the Humanities may be used for official re-
24 ception and representation expenses: *Provided further*,
25 That funds from nonappropriated sources may be used as

1 necessary for official reception and representation ex-
2 penses: *Provided further*, That the Chairperson of the Na-
3 tional Endowment for the Arts may approve grants of up
4 to \$10,000, if in the aggregate the amount of such grants
5 does not exceed 5 percent of the sums appropriated for
6 grantmaking purposes per year: *Provided further*, That
7 such small grant actions are taken pursuant to the terms
8 of an expressed and direct delegation of authority from
9 the National Council on the Arts to the Chairperson.

10 COMMISSION OF FINE ARTS

11 SALARIES AND EXPENSES

12 For expenses of the Commission of Fine Arts under
13 chapter 91 of title 40, United States Code, \$3,328,000:
14 *Provided*, That the Commission is authorized to charge
15 fees to cover the full costs of its publications, and such
16 fees shall be credited to this account as an offsetting col-
17 lection, to remain available until expended without further
18 appropriation: *Provided further*, That the Commission is
19 authorized to accept gifts, including objects, papers, art-
20 work, drawings and artifacts, that pertain to the history
21 and design of the Nation's Capital or the history and ac-
22 tivities of the Commission of Fine Arts, for the purpose
23 of artistic display, study, or education: *Provided further*,
24 That one-tenth of one percent of the funds provided under

1 this heading may be used for official reception and rep-
2 resentation expenses.

3 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

4 For necessary expenses as authorized by Public Law
5 99–190 (20 U.S.C. 956a), \$5,000,000.

6 ADVISORY COUNCIL ON HISTORIC PRESERVATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Advisory Council on
9 Historic Preservation (Public Law 89–665), \$8,255,000.

10 NATIONAL CAPITAL PLANNING COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the National Capital Plan-
13 ning Commission under chapter 87 of title 40, United
14 States Code, including services as authorized by 5 U.S.C.
15 3109, \$8,382,000: *Provided*, That one-quarter of 1 per-
16 cent of the funds provided under this heading may be used
17 for official reception and representational expenses associ-
18 ated with hosting international visitors engaged in the
19 planning and physical development of world capitals.

20 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

21 HOLOCAUST MEMORIAL MUSEUM

22 For expenses of the Holocaust Memorial Museum, as
23 authorized by Public Law 106–292 (36 U.S.C. 2301–
24 2310), \$62,616,000, of which \$715,000 shall remain
25 available until September 30, 2024, for the Museum’s

1 equipment replacement program; and of which \$3,000,000
2 for the Museum's repair and rehabilitation program and
3 \$1,264,000 for the Museum's outreach initiatives program
4 shall remain available until expended.

5 PRESIDIO TRUST

6 For necessary expenses to carry out title I of the Om-
7 nibus Parks and Public Lands Management Act of 1996
8 (Public Law 104-333), \$40,000,000 shall be available to
9 the Presidio Trust, to remain available until expended.

10 WORLD WAR I CENTENNIAL COMMISSION

11 SALARIES AND EXPENSES

12 Notwithstanding section 9 of the World War I Cen-
13 tennial Commission Act, as authorized by the World War
14 I Centennial Commission Act (Public Law 112-272) and
15 the Carl Levin and Howard P. "Buck" McKeon National
16 Defense Authorization Act for Fiscal Year 2015 (Public
17 Law 113-291), for necessary expenses of the World War
18 I Centennial Commission, \$1,000,000, to remain available
19 until September 30, 2023: *Provided*, That in addition to
20 the authority provided by section 6(g) of such Act, the
21 World War I Commission may accept money, in-kind per-
22 sonnel services, contractual support, or any appropriate
23 support from any executive branch agency for activities
24 of the Commission.

1 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States
4 Semiquincentennial Commission to plan and coordinate
5 observances and activities associated with the 250th anni-
6 versary of the founding of the United States, as authorized
7 by Public Law 114–196, as amended by Public Law 116–
8 282, \$8,000,000, to remain available until September 30,
9 2023.

10 TITLE IV

11 GENERAL PROVISIONS

12 (INCLUDING TRANSFERS OF FUNDS)

13 RESTRICTION ON USE OF FUNDS

14 SEC. 401. No part of any appropriation contained in
15 this Act shall be available for any activity or the publica-
16 tion or distribution of literature that in any way tends to
17 promote public support or opposition to any legislative
18 proposal on which Congressional action is not complete
19 other than to communicate to Members of Congress as
20 described in 18 U.S.C. 1913.

21 OBLIGATION OF APPROPRIATIONS

22 SEC. 402. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 DISCLOSURE OF ADMINISTRATIVE EXPENSES

2 SEC. 403. The amount and basis of estimated over-
3 head charges, deductions, reserves, or holdbacks, including
4 working capital fund and cost pool charges, from pro-
5 grams, projects, activities and subactivities to support gov-
6 ernment-wide, departmental, agency, or bureau adminis-
7 trative functions or headquarters, regional, or central op-
8 erations shall be presented in annual budget justifications
9 and subject to approval by the Committees on Appropria-
10 tions of the House of Representatives and the Senate.
11 Changes to such estimates shall be presented to the Com-
12 mittees on Appropriations for approval.

13 MINING APPLICATIONS

14 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
15 funds appropriated or otherwise made available pursuant
16 to this Act shall be obligated or expended to accept or
17 process applications for a patent for any mining or mill
18 site claim located under the general mining laws.

19 (b) EXCEPTIONS.—Subsection (a) shall not apply if
20 the Secretary of the Interior determines that, for the claim
21 concerned: (1) a patent application was filed with the Sec-
22 retary on or before September 30, 1994; and (2) all re-
23 quirements established under sections 2325 and 2326 of
24 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
25 lode claims, sections 2329, 2330, 2331, and 2333 of the

1 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
2 claims, and section 2337 of the Revised Statutes (30
3 U.S.C. 42) for mill site claims, as the case may be, were
4 fully complied with by the applicant by that date.

5 (c) REPORT.—On September 30, 2023, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Natural
8 Resources of the House and the Committee on Energy and
9 Natural Resources of the Senate a report on actions taken
10 by the Department under the plan submitted pursuant to
11 section 314(c) of the Department of the Interior and Re-
12 lated Agencies Appropriations Act, 1997 (Public Law
13 104–208).

14 (d) MINERAL EXAMINATIONS.—In order to process
15 patent applications in a timely and responsible manner,
16 upon the request of a patent applicant, the Secretary of
17 the Interior shall allow the applicant to fund a qualified
18 third-party contractor to be selected by the Director of the
19 Bureau of Land Management to conduct a mineral exam-
20 ination of the mining claims or mill sites contained in a
21 patent application as set forth in subsection (b). The Bu-
22 reau of Land Management shall have the sole responsi-
23 bility to choose and pay the third-party contractor in ac-
24 cordance with the standard procedures employed by the

1 Bureau of Land Management in the retention of third-
2 party contractors.

3 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

4 SEC. 405. Sections 405 and 406 of division F of the
5 Consolidated and Further Continuing Appropriations Act,
6 2015 (Public Law 113–235) shall continue in effect in fis-
7 cal year 2022.

8 CONTRACT SUPPORT COSTS, FISCAL YEAR 2022

9 LIMITATION

10 SEC. 406. Amounts provided by this Act for fiscal
11 year 2022 under the headings “Department of Health and
12 Human Services, Indian Health Service, Contract Support
13 Costs” and “Department of the Interior, Bureau of Indian
14 Affairs and Bureau of Indian Education, Contract Sup-
15 port Costs” are the only amounts available for contract
16 support costs arising out of self-determination or self-gov-
17 ernance contracts, grants, compacts, or annual funding
18 agreements for fiscal year 2022 with the Bureau of Indian
19 Affairs, Bureau of Indian Education, and the Indian
20 Health Service: *Provided*, That such amounts provided by
21 this Act are not available for payment of claims for con-
22 tract support costs for prior years, or for repayments of
23 payments for settlements or judgments awarding contract
24 support costs for prior years.

1 FOREST MANAGEMENT PLANS

2 SEC. 407. The Secretary of Agriculture shall not be
3 considered to be in violation of subparagraph 6(f)(5)(A)
4 of the Forest and Rangeland Renewable Resources Plan-
5 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
6 more than 15 years have passed without revision of the
7 plan for a unit of the National Forest System. Nothing
8 in this section exempts the Secretary from any other re-
9 quirement of the Forest and Rangeland Renewable Re-
10 sources Planning Act (16 U.S.C. 1600 et seq.) or any
11 other law: *Provided*, That if the Secretary is not acting
12 expeditiously and in good faith, within the funding avail-
13 able, to revise a plan for a unit of the National Forest
14 System, this section shall be void with respect to such plan
15 and a court of proper jurisdiction may order completion
16 of the plan on an accelerated basis.

17 PROHIBITION WITHIN NATIONAL MONUMENTS

18 SEC. 408. No funds provided in this Act may be ex-
19 pended to conduct preleasing, leasing and related activities
20 under either the Mineral Leasing Act (30 U.S.C. 181 et
21 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
22 1331 et seq.) within the boundaries of a National Monu-
23 ment established pursuant to the Act of June 8, 1906 (16
24 U.S.C. 431 et seq.) as such boundary existed on January
25 20, 2001, except where such activities are allowed under

1 the Presidential proclamation establishing such monu-
2 ment.

3 LIMITATION ON TAKINGS

4 SEC. 409. Unless otherwise provided herein, no funds
5 appropriated in this Act for the acquisition of lands or
6 interests in lands may be expended for the filing of dec-
7 larations of taking or complaints in condemnation without
8 the approval of the House and Senate Committees on Ap-
9 propriations: *Provided*, That this provision shall not apply
10 to funds appropriated to implement the Everglades Na-
11 tional Park Protection and Expansion Act of 1989, or to
12 funds appropriated for Federal assistance to the State of
13 Florida to acquire lands for Everglades restoration pur-
14 poses.

15 PROHIBITION ON NO-BID CONTRACTS

16 SEC. 410. None of the funds appropriated or other-
17 wise made available by this Act to executive branch agen-
18 cies may be used to enter into any Federal contract unless
19 such contract is entered into in accordance with the re-
20 quirements of Chapter 33 of title 41, United States Code,
21 or Chapter 137 of title 10, United States Code, and the
22 Federal Acquisition Regulation, unless—

23 (1) Federal law specifically authorizes a con-
24 tract to be entered into without regard for these re-

1 quirements, including formula grants for States, or
2 federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

9 (3) such contract was awarded prior to the date
10 of enactment of this Act.

11 POSTING OF REPORTS

SEC. 411. (a) Any agency receiving funds made avail-
able in this Act, shall, subject to subsections (b) and (c),
post on the public website of that agency any report re-
quired to be submitted by the Congress in this or any
other Act, upon the determination by the head of the agen-
cy that it shall serve the national interest.

18 (b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

21 (2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

1 NATIONAL ENDOWMENT FOR THE ARTS GRANT
2 GUIDELINES

3 SEC. 412. Of the funds provided to the National En-
4 dowment for the Arts—

5 (1) The Chairperson shall only award a grant
6 to an individual if such grant is awarded to such in-
7 dividual for a literature fellowship, National Herit-
8 age Fellowship, or American Jazz Masters Fellow-
9 ship.

10 (2) The Chairperson shall establish procedures
11 to ensure that no funding provided through a grant,
12 except a grant made to a State or local arts agency,
13 or regional group, may be used to make a grant to
14 any other organization or individual to conduct ac-
15 tivity independent of the direct grant recipient.
16 Nothing in this subsection shall prohibit payments
17 made in exchange for goods and services.

18 (3) No grant shall be used for seasonal support
19 to a group, unless the application is specific to the
20 contents of the season, including identified programs
21 or projects.

22 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM
23 PRIORITIES

24 SEC. 413. (a) In providing services or awarding fi-
25 nancial assistance under the National Foundation on the

1 Arts and the Humanities Act of 1965 from funds appro-
2 priated under this Act, the Chairperson of the National
3 Endowment for the Arts shall ensure that priority is given
4 to providing services or awarding financial assistance for
5 projects, productions, workshops, or programs that serve
6 underserved populations.

7 (b) In this section:

8 (1) The term “underserved population” means
9 a population of individuals, including urban minori-
10 ties, who have historically been outside the purview
11 of arts and humanities programs due to factors such
12 as a high incidence of income below the poverty line
13 or to geographic isolation.

14 (2) The term “poverty line” means the poverty
15 line (as defined by the Office of Management and
16 Budget, and revised annually in accordance with sec-
17 tion 673(2) of the Community Services Block Grant
18 Act (42 U.S.C. 9902(2))) applicable to a family of
19 the size involved.

20 (c) In providing services and awarding financial as-
21 sistance under the National Foundation on the Arts and
22 Humanities Act of 1965 with funds appropriated by this
23 Act, the Chairperson of the National Endowment for the
24 Arts shall ensure that priority is given to providing serv-
25 ices or awarding financial assistance for projects, produc-

1 tions, workshops, or programs that will encourage public
2 knowledge, education, understanding, and appreciation of
3 the arts.

4 (d) With funds appropriated by this Act to carry out
5 section 5 of the National Foundation on the Arts and Hu-
6 manities Act of 1965—

7 (1) the Chairperson shall establish a grant cat-
8 egory for projects, productions, workshops, or pro-
9 grams that are of national impact or availability or
10 are able to tour several States;

11 (2) the Chairperson shall not make grants ex-
12 ceeding 15 percent, in the aggregate, of such funds
13 to any single State, excluding grants made under the
14 authority of paragraph (1);

15 (3) the Chairperson shall report to the Con-
16 gress annually and by State, on grants awarded by
17 the Chairperson in each grant category under sec-
18 tion 5 of such Act; and

19 (4) the Chairperson shall encourage the use of
20 grants to improve and support community-based
21 music performance and education.

22 STATUS OF BALANCES OF APPROPRIATIONS

23 SEC. 414. The Department of the Interior, the Envi-
24 ronmental Protection Agency, the Forest Service, and the
25 Indian Health Service shall provide the Committees on

1 Appropriations of the House of Representatives and Sen-
2 ate quarterly reports on the status of balances of appro-
3 priations including all uncommitted, committed, and unob-
4 ligated funds in each program and activity within 60 days
5 of enactment of this Act.

6 EXTENSION OF GRAZING PERMITS

7 SEC. 415. The terms and conditions of section 325
8 of Public Law 108–108 (117 Stat. 1307), regarding graz-
9 ing permits issued by the Forest Service on any lands not
10 subject to administration under section 402 of the Federal
11 Lands Policy and Management Act (43 U.S.C. 1752),
12 shall remain in effect for fiscal year 2022.

13 FUNDING PROHIBITION

14 SEC. 416. (a) None of the funds made available in
15 this Act may be used to maintain or establish a computer
16 network unless such network is designed to block access
17 to pornography websites.

18 (b) Nothing in subsection (a) shall limit the use of
19 funds necessary for any Federal, State, tribal, or local law
20 enforcement agency or any other entity carrying out crimi-
21 nal investigations, prosecution, or adjudication activities.

22 HUMANE TRANSFER AND TREATMENT OF ANIMALS

23 SEC. 417. (a) Notwithstanding any other provision
24 of law, the Secretary of the Interior, with respect to land
25 administered by the Bureau of Land Management, or the

1 Secretary of Agriculture, with respect to land adminis-
2 tered by the Forest Service (referred to in this section as
3 the “Secretary concerned”), may transfer excess wild
4 horses and burros that have been removed from land ad-
5 ministered by the Secretary concerned to other Federal,
6 State, and local government agencies for use as work ani-
7 mals.

8 (b) The Secretary concerned may make a transfer
9 under subsection (a) immediately on the request of a Fed-
10 eral, State, or local government agency.

11 (c) An excess wild horse or burro transferred under
12 subsection (a) shall lose status as a wild free-roaming
13 horse or burro (as defined in section 2 of Public Law 92–
14 195 (commonly known as the “Wild Free-Roaming Horses
15 and Burros Act”) (16 U.S.C. 1332)).

16 (d) A Federal, State, or local government agency re-
17 ceiving an excess wild horse or burro pursuant to sub-
18 section (a) shall not—

19 (1) destroy the horse or burro in a manner that
20 results in the destruction of the horse or burro into
21 a commercial product;

22 (2) sell or otherwise transfer the horse or burro
23 in a manner that results in the destruction of the
24 horse or burro for processing into a commercial
25 product; or

1 (3) euthanize the horse or burro, except on the
2 recommendation of a licensed veterinarian in a case
3 of severe injury, illness, or advanced age.

4 (e) Amounts appropriated by this Act shall not be
5 available for—

6 (1) the destruction of any healthy, unadopted,
7 and wild horse or burro under the jurisdiction of the
8 Secretary concerned (including a contractor); or

9 (2) the sale of a wild horse or burro that results
10 in the destruction of the wild horse or burro for
11 processing into a commercial product.

12 FOREST SERVICE FACILITY REALIGNMENT AND
13 ENHANCEMENT AUTHORIZATION EXTENSION

14 SEC. 418. Section 503(f) of Public Law 109–54 (16
15 U.S.C. 580d note) shall be applied by substituting “Sep-
16 tember 30, 2022” for “September 30, 2019”.

17 USE OF AMERICAN IRON AND STEEL

18 SEC. 419. (a)(1) None of the funds made available
19 by a State water pollution control revolving fund as au-
20 thorized by section 1452 of the Safe Drinking Water Act
21 (42 U.S.C. 300j–12) shall be used for a project for the
22 construction, alteration, maintenance, or repair of a public
23 water system or treatment works unless all of the iron and
24 steel products used in the project are produced in the
25 United States.

1 (2) In this section, the term “iron and steel” products
2 means the following products made primarily of iron or
3 steel: lined or unlined pipes and fittings, manhole covers
4 and other municipal castings, hydrants, tanks, flanges,
5 pipe clamps and restraints, valves, structural steel, rein-
6 forced precast concrete, and construction materials.

7 (b) Subsection (a) shall not apply in any case or cat-
8 egory of cases in which the Administrator of the Environ-
9 mental Protection Agency (in this section referred to as
10 the “Administrator”) finds that—

11 (1) applying subsection (a) would be incon-
12 sistent with the public interest;

13 (2) iron and steel products are not produced in
14 the United States in sufficient and reasonably avail-
15 able quantities and of a satisfactory quality; or

16 (3) inclusion of iron and steel products pro-
17 duced in the United States will increase the cost of
18 the overall project by more than 25 percent.

19 (c) If the Administrator receives a request for a waiv-
20 er under this section, the Administrator shall make avail-
21 able to the public on an informal basis a copy of the re-
22 quest and information available to the Administrator con-
23 cerning the request, and shall allow for informal public
24 input on the request for at least 15 days prior to making
25 a finding based on the request. The Administrator shall

1 make the request and accompanying information available
2 by electronic means, including on the official public Inter-
3 net Web site of the Environmental Protection Agency.

4 (d) This section shall be applied in a manner con-
5 sistent with United States obligations under international
6 agreements.

7 (e) The Administrator may retain up to 0.25 percent
8 of the funds appropriated in this Act for the Clean and
9 Drinking Water State Revolving Funds for carrying out
10 the provisions described in subsection (a)(1) for manage-
11 ment and oversight of the requirements of this section.

12 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
13 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
14 WILDFIRES

15 SEC. 420. The Secretary of the Interior is authorized
16 to enter into grants and cooperative agreements with vol-
17 unteer fire departments, rural fire departments, rangeland
18 fire protection associations, and similar organizations to
19 provide for wildland fire training and equipment, including
20 supplies and communication devices. Notwithstanding sec-
21 tion 121(c) of title 40, United States Code, or section 521
22 of title 40, United States Code, the Secretary is further
23 authorized to transfer title to excess Department of the
24 Interior firefighting equipment no longer needed to carry

1 out the functions of the Department's wildland fire man-
2 agement program to such organizations.

3 RECREATION FEES

4 SEC. 421. Section 810 of the Federal Lands Recre-
5 ation Enhancement Act (16 U.S.C. 6809) shall be applied
6 by substituting "October 1, 2023" for "September 30,
7 2019".

8 REPROGRAMMING GUIDELINES

9 SEC. 422. None of the funds made available in this
10 Act, in this and prior fiscal years, may be reprogrammed
11 without the advance approval of the House and Senate
12 Committees on Appropriations in accordance with the re-
13 programming procedures contained in the explanatory
14 statement described in section 4 of the Further Consoli-
15 dated Appropriations Act, 2020 (Public Law 116-94; 133
16 Stat. 2536).

17 LOCAL CONTRACTORS

18 SEC. 423. Section 412 of division E of Public Law
19 112-74 shall be applied by substituting "fiscal year 2022"
20 for "fiscal year 2019".

21 SHASTA-TRINITY MARINA FEE AUTHORITY

22 AUTHORIZATION EXTENSION

23 SEC. 424. Section 422 of division F of Public Law
24 110-161 (121 Stat 1844), as amended, shall be applied
25 by substituting "fiscal year 2022" for "fiscal year 2019".

1 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

2 SEC. 425. Section 426 of division G of Public Law
3 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-
4 stituting “September 30, 2022” for “September 30,
5 2019”.

6 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

7 SEC. 426. The authority provided by the 19th un-
8 numbered paragraph under heading “Administrative Pro-
9 visions, Forest Service” in title III of Public Law 109–
10 54, as amended, shall be applied by substituting “fiscal
11 year 2022” for “fiscal year 2019”.

12 FOREST BOTANICAL PRODUCTS FEE COLLECTION

13 AUTHORIZATION EXTENSION

14 SEC. 427. Section 339 of the Department of the Inte-
15 rior and Related Agencies Appropriations Act, 2000 (as
16 enacted into law by Public Law 106–113; 16 U.S.C. 528
17 note), as amended by section 335(6) of Public Law 108–
18 108 and section 432 of Public Law 113–76, shall be ap-
19 plied by substituting “fiscal year 2022” for “fiscal year
20 2019”.

21 CHACO CANYON

22 SEC. 428. None of the funds made available by this
23 Act may be used to accept a nomination for oil and gas
24 leasing under 43 CFR 3120.3 et seq, or to offer for oil
25 and gas leasing, any Federal lands within the withdrawal

1 area identified on the map of the Chaco Culture National
2 Historical Park prepared by the Bureau of Land Manage-
3 ment and dated April 2, 2019, prior to the completion of
4 the cultural resources investigation identified in the ex-
5 planatory statement described in section 4 (in the matter
6 preceding division A of the Consolidated Appropriations
7 Act, 2021 (Public Law 116–260)).

8 TRIBAL LEASES

9 SEC. 429. Notwithstanding any other provision of
10 law, in the case of any lease under section 105(l) of the
11 Indian Self-Determination and Education Assistance Act
12 (25 U.S.C. 5324(l)), the initial lease term shall commence
13 no earlier than the date of receipt of the lease proposal.

14 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

15 SEC. 430. The authority provided under the heading
16 “Forest Ecosystem Health and Recovery Fund” in title
17 I of Public Law 111–88, as amended by section 117 of
18 division F of Public Law 113–235, shall be applied by sub-
19 stituting “fiscal year 2022” for “fiscal year 2020” each
20 place it appears.

21 ALLOCATION OF PROJECTS

22 SEC. 431. (a) Within 45 days of enactment of this
23 Act, the Secretary of the Interior shall allocate amounts
24 available from the National Parks and Public Land Leg-
25 acy Restoration Fund for fiscal year pursuant to sub-

1 section (c) of section 200402 of title 54, United States
2 Code, and as provided in subsection (e) of such section
3 of such title, to the agencies of the Department of the
4 Interior and the Department of Agriculture specified, in
5 the amounts specified, and for the projects and activities
6 specified in the table titled “Allocation of Funds from the
7 National Parks and Public Land Legacy Restoration
8 Fund—Fiscal Year 2022” in the report accompanying this
9 Act.

10 (b) Within 45 days of enactment of this Act, the Sec-
11 retary of the Interior and the Secretary of Agriculture,
12 as appropriate, shall allocate amounts made available for
13 expenditure from the Land and Water Conservation Fund
14 for fiscal year 2022 pursuant to subsection (a) of section
15 200303 of title 54, United States Code, to the agencies
16 and accounts specified, in the amounts specified, and for
17 the projects and activities specified in the table titled “Al-
18 location of Funds from the Land and Water Conservation
19 Fund—Fiscal Year 2022” in the report accompanying this
20 Act.

21 (c) Neither the President nor his designee may allo-
22 cate any amounts that are made available for any fiscal
23 year under subsection (c) of section 200402 of title 54,
24 United States Code, or subsection (a) of section 200303
25 of title 54, United States Code, other than amounts that

1 are allocated by subsections (a) and (b) of this section of
2 this Act.

3 (d)(1) Concurrent with the annual budget submission
4 of the President for fiscal year 2023, the Secretary of the
5 Interior and the Secretary of Agriculture shall each sub-
6 mit to the Committees on Appropriations of the House
7 of Representatives and the Senate a list of supplementary
8 allocations for Federal land acquisition and Forest Legacy
9 projects at the National Park Service, the U.S. Fish and
10 Wildlife Service, the Bureau of Land Management, and
11 the U.S. Forest Service that are in addition to the “Sub-
12 mission of Cost Estimates” required by section
13 200303(c)(1) of title 54, United States Code, that are
14 prioritized and detailed by account, program, and project,
15 and that total no less than half the full amount allocated
16 to each account for that land management agency under
17 the allocations submitted under section 200303(c)(1) of
18 title 54, United States Code.

19 (2) The Federal land acquisition and Forest Legacy
20 projects in the “Submission of Cost Estimates” required
21 by section 200303(c)(1) of title 54, United States Code,
22 and on the list of supplementary allocations required by
23 paragraph (1) shall be comprised only of projects for
24 which a willing seller has been identified and for which
25 an appraisal or market research has been initiated.

1 (3) Concurrent with the annual budget submission of
2 the President for fiscal year 2023, the Secretary of the
3 Interior and the Secretary of Agriculture shall each sub-
4 mit to the Committees on Appropriations of the House
5 of Representatives and the Senate project data sheets in
6 the same format and containing the same level of detailed
7 information that is found on such sheets in the Budget
8 Justifications annually submitted by the Department of
9 the Interior with the President’s Budget for the projects
10 in the “Submission of Cost Estimates” required by section
11 200303(c)(1) of title 54, United States Code, and in the
12 same format and containing the same level of detailed in-
13 formation that is found on such sheets submitted to the
14 Committees pursuant to section 427 of division D of the
15 Further Consolidated Appropriations Act, 2020 (Public
16 Law 116–94) for the list of supplementary allocations re-
17 quired by paragraph (1), and for the projects in the “Sub-
18 mission of Annual List of Projects to Congress” required
19 by section 200402(h) of title 54, United States Code.

20 (e) The Department of the Interior and the Depart-
21 ment of Agriculture shall provide the Committees on Ap-
22 propriations of the House of Representatives and Senate
23 quarterly reports on the status of balances for amounts
24 allocated pursuant to subsections (a) and (b) of this sec-

1 tion, including all uncommitted, committed, and unobli-
2 gated funds.

3 POLICIES RELATING TO BIOMASS ENERGY

4 SEC. 432. To support the key role that forests in the
5 United States can play in addressing the energy needs of
6 the United States, the Secretary of Energy, the Secretary
7 of Agriculture, and the Administrator of the Environ-
8 mental Protection Agency shall, consistent with their mis-
9 sions, jointly—

10 (1) ensure that Federal policy relating to forest
11 bioenergy—

12 (A) is consistent across all Federal depart-
13 ments and agencies; and

14 (B) using the best available science, recog-
15 nizes the benefits of the use of forest biomass
16 for energy, conservation, and responsible forest
17 management; and

18 (2) establish clear and simple policies for the
19 use of forest biomass as an energy solution, includ-
20 ing policies that—

21 (A) reflect the carbon benefits of forest
22 bioenergy and recognize biomass as a renewable
23 energy source, provided the use of forest bio-
24 mass for energy production does not cause con-
25 version of forests to non-forest use;

1 (B) encourage private investment through-
2 out the forest biomass supply chain, including
3 in—

- 4 (i) working forests;
5 (ii) harvesting operations;
6 (iii) forest improvement operations;
7 (iv) forest bioenergy production;
8 (v) wood products manufacturing; or
9 (vi) paper manufacturing;

10 (C) encourage forest management to im-
11 prove forest health; and

12 (D) recognize State initiatives to produce
13 and use forest biomass.

14 INCORPORATION OF COMMUNITY PROJECT FUNDING

15 SEC. 433. Within the amounts appropriated in the
16 Act, funding shall be allocated in the amounts specified
17 for those projects and purposes delineated in the table ti-
18 tled “Incorporation of Community Project Funding” in-
19 cluded in the report accompanying this Act.

20 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-
21 TIONS TO THE EXTENT AUTHORIZED FOR OTHER
22 GOVERNMENT CONTRACTORS

23 SEC. 434. The Secretary of Health and Human Serv-
24 ices may authorize an urban Indian organization (as de-
25 fined in section 4 of the Indian Health Care Improvement

1 Act (25 U.S.C. 1603)) that is awarded a grant or contract
2 under title V of that Act (25 U.S.C. 1651 et seq.) to use
3 funds provided in such grant or contract for minor renova-
4 tions to facilities or construction or expansion of facilities,
5 including leased facilities, to assist the urban Indian orga-
6 nization in meeting or maintaining standards issued by
7 Federal or State governments or by accreditation organi-
8 zations.

9 RAINY RIVER WATERSHED

10 SEC. 435. None of the funds appropriated or other-
11 wise made available by this Act may be used to review
12 or approve a mine plan proposed within the Rainy River
13 Watershed of the Superior National Forest.

14 PERMIT PROHIBITION

15 SEC. 436. None of the funds made available by this
16 Act may be used to issue a permit for the import of a
17 sport-hunted trophy of an elephant or lion taken in Tan-
18 zania, Zimbabwe, or Zambia. The limitation described in
19 this section shall not apply in the case of the administra-
20 tion of a tax or tariff.

21 TONGASS NATIONAL FOREST

22 SEC. 437. None of the funds made available by this
23 Act may be used to plan, design, study, or construct, for
24 the purpose of harvesting timber by private entities or in-

1 individuals, a forest development road in the Tongass Na-
2 tional Forest.

3 This division may be cited as the “Department of the
4 Interior, Environment, and Related Agencies Appropria-
5 tions Act, 2022”.

1 **DIVISION F—MILITARY CONSTRUCTION,**
2 **VETERANS AFFAIRS, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2022**

4 TITLE I

5 DEPARTMENT OF DEFENSE

6 MILITARY CONSTRUCTION, ARMY

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, military
9 installations, facilities, and real property for the Army as
10 currently authorized by law, including personnel in the
11 Army Corps of Engineers and other personal services nec-
12 essary for the purposes of this appropriation, and for con-
13 struction and operation of facilities in support of the func-
14 tions of the Commander in Chief, \$898,692,000, to re-
15 main available until September 30, 2026: *Provided*, That,
16 of this amount, not to exceed \$181,649,000 shall be avail-
17 able for study, planning, design, architect and engineer
18 services, and host nation support, as authorized by law,
19 unless the Secretary of the Army determines that addi-
20 tional obligations are necessary for such purposes and no-
21 tifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor:
23 *Provided further*, That of the amount made available
24 under this heading, \$62,010,000 shall be for the projects
25 and activities, and in the amounts, specified under the

1 heading “Military Construction, Army” in the report to
2 accompany this Act, in addition to amounts otherwise
3 available for such purposes.

4 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, naval in-
7 stallations, facilities, and real property for the Navy and
8 Marine Corps as currently authorized by law, including
9 personnel in the Naval Facilities Engineering Command
10 and other personal services necessary for the purposes of
11 this appropriation, \$1,937,428,000, to remain available
12 until September 30, 2026: *Provided*, That, of this amount,
13 not to exceed \$413,252,000 shall be available for study,
14 planning, design, and architect and engineer services, as
15 authorized by law, unless the Secretary of the Navy deter-
16 mines that additional obligations are necessary for such
17 purposes and notifies the Committees on Appropriations
18 of both Houses of Congress of the determination and the
19 reasons therefor: *Provided further*, That of the amount
20 made available under this heading, \$7,000,000 shall be
21 for the projects and activities, and in the amounts, speci-
22 fied under the heading “Military Construction, Navy and
23 Marine Corps” in the report to accompany this Act, in
24 addition to amounts otherwise available for such purposes.

1 MILITARY CONSTRUCTION, AIR FORCE

2 For acquisition, construction, installation, and equip-
3 ment of temporary or permanent public works, military
4 installations, facilities, and real property for the Air Force
5 as currently authorized by law, \$1,893,690,000, to remain
6 available until September 30, 2026: *Provided*, That, of
7 this amount, not to exceed \$279,301,000 shall be available
8 for study, planning, design, and architect and engineer
9 services, as authorized by law, unless the Secretary of the
10 Air Force determines that additional obligations are nec-
11 essary for such purposes and notifies the Committees on
12 Appropriations of both Houses of Congress of the deter-
13 mination and the reasons therefor: *Provided further*, That
14 of the amount made available under this heading,
15 \$82,000,000 shall be for the projects and activities, and
16 in the amounts, specified under the heading “Military
17 Construction, Air Force” in the report to accompany this
18 Act, in addition to amounts otherwise available for such
19 purposes.

20 MILITARY CONSTRUCTION, DEFENSE-WIDE

21 (INCLUDING TRANSFER OF FUNDS)

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, installa-
24 tions, facilities, and real property for activities and agen-
25 cies of the Department of Defense (other than the military

1 departments), as currently authorized by law,
2 \$2,023,416,000, to remain available until September 30,
3 2026: *Provided*, That such amounts of this appropriation
4 as may be determined by the Secretary of Defense may
5 be transferred to such appropriations of the Department
6 of Defense available for military construction or family
7 housing as the Secretary may designate, to be merged with
8 and to be available for the same purposes, and for the
9 same time period, as the appropriation or fund to which
10 transferred: *Provided further*, That, of the amount, not to
11 exceed \$261,313,000 shall be available for study, plan-
12 ning, design, and architect and engineer services, as au-
13 thorized by law, unless the Secretary of Defense deter-
14 mines that additional obligations are necessary for such
15 purposes and notifies the Committees on Appropriations
16 of both Houses of Congress of the determination and the
17 reasons therefor.

18 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the Army National Guard, and contribu-
22 tions therefor, as authorized by chapter 1803 of title 10,
23 United States Code, and Military Construction Authoriza-
24 tion Acts, \$335,603,000, to remain available until Sep-
25 tember 30, 2026: *Provided*, That, of the amount, not to

1 exceed \$72,000,000 shall be available for study, planning,
2 design, and architect and engineer services, as authorized
3 by law, unless the Director of the Army National Guard
4 determines that additional obligations are necessary for
5 such purposes and notifies the Committees on Appropria-
6 tions of both Houses of Congress of the determination and
7 the reasons therefor: *Provided further*, That of the amount
8 made available under this heading, \$15,500,000 shall be
9 for the projects and activities, and in the amounts, speci-
10 fied under the heading “Military Construction, Army Na-
11 tional Guard” in the report to accompany this Act, in ad-
12 dition to amounts otherwise available for such purposes.

13 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

14 For construction, acquisition, expansion, rehabilita-
15 tion, and conversion of facilities for the training and ad-
16 ministration of the Air National Guard, and contributions
17 therefor, as authorized by chapter 1803 of title 10, United
18 States Code, and Military Construction Authorization
19 Acts, \$246,770,000, to remain available until September
20 30, 2026: *Provided*, That, of the amount, not to exceed
21 \$28,402,000 shall be available for study, planning, design,
22 and architect and engineer services, as authorized by law,
23 unless the Director of the Air National Guard determines
24 that additional obligations are necessary for such purposes
25 and notifies the Committees on Appropriations of both

1 Houses of Congress of the determination and the reasons
2 therefor: *Provided further*, That of the amount made avail-
3 able under this heading, \$24,000,000 shall be for the
4 projects and activities, and in the amounts, specified
5 under the heading “Military Construction, Air National
6 Guard” in the report to accompany this Act, in addition
7 to amounts otherwise available for such purposes.

8 MILITARY CONSTRUCTION, ARMY RESERVE

9 For construction, acquisition, expansion, rehabilita-
10 tion, and conversion of facilities for the training and ad-
11 ministration of the Army Reserve as authorized by chapter
12 1803 of title 10, United States Code, and Military Con-
13 struction Authorization Acts, \$77,411,000, to remain
14 available until September 30, 2026: *Provided*, That, of the
15 amount, not to exceed \$12,167,000 shall be available for
16 study, planning, design, and architect and engineer serv-
17 ices, as authorized by law, unless the Chief of the Army
18 Reserve determines that additional obligations are nec-
19 essary for such purposes and notifies the Committees on
20 Appropriations of both Houses of Congress of the deter-
21 mination and the reasons therefor.

22 MILITARY CONSTRUCTION, NAVY RESERVE

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the reserve components of the Navy and

1 Marine Corps as authorized by chapter 1803 of title 10,
2 United States Code, and Military Construction Authoriza-
3 tion Acts, \$84,804,000, to remain available until Sep-
4 tember 30, 2026: *Provided*, That, of the amount, not to
5 exceed \$13,005,000 shall be available for study, planning,
6 design, and architect and engineer services, as authorized
7 by law, unless the Secretary of the Navy determines that
8 additional obligations are necessary for such purposes and
9 notifies the Committees on Appropriations of both Houses
10 of Congress of the determination and the reasons therefor.

11 MILITARY CONSTRUCTION, AIR FORCE RESERVE

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Air Force Reserve as authorized by
15 chapter 1803 of title 10, United States Code, and Military
16 Construction Authorization Acts, \$104,574,000, to remain
17 available until September 30, 2026: *Provided*, That, of the
18 amount, not to exceed \$12,330,000 shall be available for
19 study, planning, design, and architect and engineer serv-
20 ices, as authorized by law, unless the Chief of the Air
21 Force Reserve determines that additional obligations are
22 necessary for such purposes and notifies the Committees
23 on Appropriations of both Houses of Congress of the de-
24 termination and the reasons therefor: *Provided further*,
25 That of the amount made available under this heading,

1 \$8,700,000 shall be for the projects and activities, and in
2 the amounts, specified under the heading “Military Con-
3 struction, Army” in the report to accompany this Act, in
4 addition to amounts otherwise available for such purposes.

5 NORTH ATLANTIC TREATY ORGANIZATION

6 SECURITY INVESTMENT PROGRAM

7 For the United States share of the cost of the North
8 Atlantic Treaty Organization Security Investment Pro-
9 gram for the acquisition and construction of military fa-
10 cilities and installations (including international military
11 headquarters) and for related expenses for the collective
12 defense of the North Atlantic Treaty Area as authorized
13 by section 2806 of title 10, United States Code, and Mili-
14 tary Construction Authorization Acts, \$205,853,000, to
15 remain available until expended.

16 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

17 For deposit into the Department of Defense Base
18 Closure Account, established by section 2906(a) of the De-
19 fense Base Closure and Realignment Act of 1990 (10
20 U.S.C. 2687 note), \$564,639,000, to remain available
21 until expended.

22 FAMILY HOUSING CONSTRUCTION, ARMY

23 For expenses of family housing for the Army for con-
24 struction, including acquisition, replacement, addition, ex-
25 pansion, extension, and alteration, as authorized by law,

1 \$99,849,000, to remain available until September 30,
2 2026.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,

4 ARMY

5 For expenses of family housing for the Army for op-
6 eration and maintenance, including debt payment, leasing,
7 minor construction, principal and interest charges, and in-
8 surance premiums, as authorized by law, \$391,227,000.

9 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

10 CORPS

11 For expenses of family housing for the Navy and Ma-
12 rine Corps for construction, including acquisition, replace-
13 ment, addition, expansion, extension, and alteration, as
14 authorized by law, \$77,616,000, to remain available until
15 September 30, 2026.

16 FAMILY HOUSING OPERATION AND MAINTENANCE,

17 NAVY AND MARINE CORPS

18 For expenses of family housing for the Navy and Ma-
19 rine Corps for operation and maintenance, including debt
20 payment, leasing, minor construction, principal and inter-
21 est charges, and insurance premiums, as authorized by
22 law, \$357,341,000.

23 FAMILY HOUSING CONSTRUCTION, AIR FORCE

24 For expenses of family housing for the Air Force for
25 construction, including acquisition, replacement, addition,

1 expansion, extension, and alteration, as authorized by law,
2 \$115,716,000, to remain available until September 30,
3 2026.

4 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
5 FORCE

6 For expenses of family housing for the Air Force for
7 operation and maintenance, including debt payment, leas-
8 ing, minor construction, principal and interest charges,
9 and insurance premiums, as authorized by law,
10 \$325,445,000.

11 FAMILY HOUSING OPERATION AND MAINTENANCE,
12 DEFENSE-WIDE

13 For expenses of family housing for the activities and
14 agencies of the Department of Defense (other than the
15 military departments) for operation and maintenance,
16 leasing, and minor construction, as authorized by law,
17 \$49,785,000.

18 DEPARTMENT OF DEFENSE

19 FAMILY HOUSING IMPROVEMENT FUND

20 For the Department of Defense Family Housing Im-
21 provement Fund, \$6,081,000, to remain available until ex-
22 pended, for family housing initiatives undertaken pursu-
23 ant to section 2883 of title 10, United States Code, pro-
24 viding alternative means of acquiring and improving mili-
25 tary family housing and supporting facilities.

1 DEPARTMENT OF DEFENSE
2 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
3 FUND

4 For the Department of Defense Military Unaccom-
5 panied Housing Improvement Fund, \$494,000, to remain
6 available until expended, for unaccompanied housing ini-
7 tiatives undertaken pursuant to section 2883 of title 10,
8 United States Code, providing alternative means of acquir-
9 ing and improving military unaccompanied housing and
10 supporting facilities.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 101. None of the funds made available in this
13 title shall be expended for payments under a cost-plus-a-
14 fixed-fee contract for construction, where cost estimates
15 exceed \$25,000, to be performed within the United States,
16 except Alaska, without the specific approval in writing of
17 the Secretary of Defense setting forth the reasons there-
18 for.

19 SEC. 102. Funds made available in this title for con-
20 struction shall be available for hire of passenger motor ve-
21 hicles.

22 SEC. 103. Funds made available in this title for con-
23 struction may be used for advances to the Federal High-
24 way Administration, Department of Transportation, for
25 the construction of access roads as authorized by section

1 210 of title 23, United States Code, when projects author-
2 ized therein are certified as important to the national de-
3 fense by the Secretary of Defense.

4 SEC. 104. None of the funds made available in this
5 title may be used to begin construction of new bases in
6 the United States for which specific appropriations have
7 not been made.

8 SEC. 105. None of the funds made available in this
9 title shall be used for purchase of land or land easements
10 in excess of 100 percent of the value as determined by
11 the Army Corps of Engineers or the Naval Facilities Engi-
12 neering Command, except: (1) where there is a determina-
13 tion of value by a Federal court; (2) purchases negotiated
14 by the Attorney General or the designee of the Attorney
15 General; (3) where the estimated value is less than
16 \$25,000; or (4) as otherwise determined by the Secretary
17 of Defense to be in the public interest.

18 SEC. 106. None of the funds made available in this
19 title shall be used to: (1) acquire land; (2) provide for site
20 preparation; or (3) install utilities for any family housing,
21 except housing for which funds have been made available
22 in annual Acts making appropriations for military con-
23 struction.

24 SEC. 107. None of the funds made available in this
25 title for minor construction may be used to transfer or

1 relocate any activity from one base or installation to an-
2 other, without prior notification to the Committees on Ap-
3 propriations of both Houses of Congress.

4 SEC. 108. None of the funds made available in this
5 title may be used for the procurement of steel for any con-
6 struction project or activity for which American steel pro-
7 ducers, fabricators, and manufacturers have been denied
8 the opportunity to compete for such steel procurement.

9 SEC. 109. None of the funds available to the Depart-
10 ment of Defense for military construction or family hous-
11 ing during the current fiscal year may be used to pay real
12 property taxes in any foreign nation.

13 SEC. 110. None of the funds made available in this
14 title may be used to initiate a new installation overseas
15 without prior notification to the Committees on Appro-
16 priations of both Houses of Congress.

17 SEC. 111. None of the funds made available in this
18 title may be obligated for architect and engineer contracts
19 estimated by the Government to exceed \$500,000 for
20 projects to be accomplished in Japan, in any North Atlan-
21 tic Treaty Organization member country, or in countries
22 bordering the Arabian Gulf, unless such contracts are
23 awarded to United States firms or United States firms
24 in joint venture with host nation firms.

1 SEC. 112. None of the funds made available in this
2 title for military construction in the United States terri-
3 tories and possessions in the Pacific and on Kwajalein
4 Atoll, or in countries bordering the Arabian Gulf, may be
5 used to award any contract estimated by the Government
6 to exceed \$1,000,000 to a foreign contractor: *Provided*,
7 That this section shall not be applicable to contract
8 awards for which the lowest responsive and responsible bid
9 of a United States contractor exceeds the lowest respon-
10 sive and responsible bid of a foreign contractor by greater
11 than 20 percent: *Provided further*, That this section shall
12 not apply to contract awards for military construction on
13 Kwajalein Atoll for which the lowest responsive and re-
14 sponsible bid is submitted by a Marshallese contractor.

15 SEC. 113. The Secretary of Defense shall inform the
16 appropriate committees of both Houses of Congress, in-
17 cluding the Committees on Appropriations, of plans and
18 scope of any proposed military exercise involving United
19 States personnel 30 days prior to its occurring, if amounts
20 expended for construction, either temporary or permanent,
21 are anticipated to exceed \$100,000.

22 SEC. 114. Funds appropriated to the Department of
23 Defense for construction in prior years shall be available
24 for construction authorized for each such military depart-

1 ment by the authorizations enacted into law during the
2 current session of Congress.

3 SEC. 115. For military construction or family housing
4 projects that are being completed with funds otherwise ex-
5 pired or lapsed for obligation, expired or lapsed funds may
6 be used to pay the cost of associated supervision, inspec-
7 tion, overhead, engineering and design on those projects
8 and on subsequent claims, if any.

9 SEC. 116. Notwithstanding any other provision of
10 law, any funds made available to a military department
11 or defense agency for the construction of military projects
12 may be obligated for a military construction project or
13 contract, or for any portion of such a project or contract,
14 at any time before the end of the fourth fiscal year after
15 the fiscal year for which funds for such project were made
16 available, if the funds obligated for such project: (1) are
17 obligated from funds available for military construction
18 projects; and (2) do not exceed the amount appropriated
19 for such project, plus any amount by which the cost of
20 such project is increased pursuant to law.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 117. Subject to 30 days prior notification, or
23 14 days for a notification provided in an electronic me-
24 dium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, such additional amounts as
2 may be determined by the Secretary of Defense may be
3 transferred to: (1) the Department of Defense Family
4 Housing Improvement Fund from amounts appropriated
5 for construction in “Family Housing” accounts, to be
6 merged with and to be available for the same purposes
7 and for the same period of time as amounts appropriated
8 directly to the Fund; or (2) the Department of Defense
9 Military Unaccompanied Housing Improvement Fund
10 from amounts appropriated for construction of military
11 unaccompanied housing in “Military Construction” ac-
12 counts, to be merged with and to be available for the same
13 purposes and for the same period of time as amounts ap-
14 propriated directly to the Fund: *Provided*, That appropria-
15 tions made available to the Funds shall be available to
16 cover the costs, as defined in section 502(5) of the Con-
17 gressional Budget Act of 1974, of direct loans or loan
18 guarantees issued by the Department of Defense pursuant
19 to the provisions of subchapter IV of chapter 169 of title
20 10, United States Code, pertaining to alternative means
21 of acquiring and improving military family housing, mili-
22 tary unaccompanied housing, and supporting facilities.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 118. In addition to any other transfer authority
25 available to the Department of Defense, amounts may be

1 transferred from the Department of Defense Base Closure
2 Account to the fund established by section 1013(d) of the
3 Demonstration Cities and Metropolitan Development Act
4 of 1966 (42 U.S.C. 3374) to pay for expenses associated
5 with the Homeowners Assistance Program incurred under
6 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
7 be merged with and be available for the same purposes
8 and for the same time period as the fund to which trans-
9 ferred.

10 SEC. 119. Notwithstanding any other provision of
11 law, funds made available in this title for operation and
12 maintenance of family housing shall be the exclusive
13 source of funds for repair and maintenance of all family
14 housing units, including general or flag officer quarters:
15 *Provided*, That not more than \$15,000 per unit may be
16 spent annually for the maintenance and repair of any gen-
17 eral or flag officer quarters without 30 days prior notifica-
18 tion, or 14 days for a notification provided in an electronic
19 medium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, except that an after-the-fact
22 notification shall be submitted if the limitation is exceeded
23 solely due to costs associated with environmental remedi-
24 ation that could not be reasonably anticipated at the time
25 of the budget submission.

1 SEC. 120. Amounts contained in the Ford Island Im-
2 provement Account established by subsection (h) of sec-
3 tion 2814 of title 10, United States Code, are appro-
4 priated and shall be available until expended for the pur-
5 poses specified in subsection (i)(1) of such section or until
6 transferred pursuant to subsection (i)(3) of such section.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 121. During the 5-year period after appropria-
9 tions available in this Act to the Department of Defense
10 for military construction and family housing operation and
11 maintenance and construction have expired for obligation,
12 upon a determination that such appropriations will not be
13 necessary for the liquidation of obligations or for making
14 authorized adjustments to such appropriations for obliga-
15 tions incurred during the period of availability of such ap-
16 propriations, unobligated balances of such appropriations
17 may be transferred into the appropriation “Foreign Cur-
18 rency Fluctuations, Construction, Defense”, to be merged
19 with and to be available for the same time period and for
20 the same purposes as the appropriation to which trans-
21 ferred.

22 SEC. 122. None of the funds made available in this
23 title may be obligated or expended for planning and design
24 and construction of projects at Arlington National Ceme-
25 tery.

1 SEC. 123. All amounts appropriated to the “Depart-
2 ment of Defense—Military Construction, Army”, “De-
3 partment of Defense—Military Construction, Navy and
4 Marine Corps”, “Department of Defense—Military Con-
5 struction, Air Force”, and “Department of Defense—Mili-
6 tary Construction, Defense-Wide” accounts pursuant to
7 the authorization of appropriations in a National Defense
8 Authorization Act specified for fiscal year 2022 in the
9 funding table in section 4601 of that Act shall be imme-
10 diately available and allotted to contract for the full scope
11 of authorized projects.

12 SEC. 124. For the purposes of this Act, the term
13 “congressional defense committees” means the Commit-
14 tees on Armed Services of the House of Representatives
15 and the Senate, the Subcommittee on Military Construc-
16 tion and Veterans Affairs of the Committee on Appropria-
17 tions of the Senate, and the Subcommittee on Military
18 Construction and Veterans Affairs of the Committee on
19 Appropriations of the House of Representatives.

20 SEC. 125. For an additional amount for the accounts
21 and in the amounts specified, to remain available until
22 September 30, 2024:

23 “Military Construction, Army”, \$54,200,000;
24 “Military Construction, Air Force”,
25 \$50,100,000;

1 “Family Housing Construction, Army”,
2 \$31,500,000; and

3 “Military Construction, Army Reserve”,
4 \$14,000,000:

5 *Provided*, That such funds may only be obligated to carry
6 out construction projects identified in the respective mili-
7 tary department’s cost to complete projects list of pre-
8 viously appropriated projects submitted to Congress: *Pro-*
9 *vided further*, That such projects are subject to authoriza-
10 tion prior to obligation and expenditure of funds to carry
11 out construction: *Provided further*, That not later than 30
12 days after enactment of this Act, the Secretary of the mili-
13 tary department concerned, or a duly authorized designee,
14 shall submit to the Committees on Appropriations of both
15 Houses of Congress an expenditure plan for funds pro-
16 vided under this section.

17 SEC. 126. Notwithstanding any other provision of
18 law, none of the funds appropriated or otherwise made
19 available by this or any other Act may be used to consoli-
20 date or relocate any element of a United States Air Force
21 Rapid Engineer Deployable Heavy Operational Repair
22 Squadron Engineer (RED HORSE) outside of the United
23 States until the Secretary of the Air Force: (1) completes
24 an analysis and comparison of the cost and infrastructure
25 investment required to consolidate or relocate a RED

1 HORSE squadron outside of the United States versus
2 within the United States; (2) provides to the Committees
3 on Appropriations of both Houses of Congress (“the Com-
4 mittees”) a report detailing the findings of the cost anal-
5 ysis; and (3) certifies in writing to the Committees that
6 the preferred site for the consolidation or relocation yields
7 the greatest savings for the Air Force: *Provided*, That the
8 term “United States” in this section does not include any
9 territory or possession of the United States.

10 SEC. 127. For an additional amount for the accounts
11 and in the amounts specified, for military construction and
12 planning and design for improving resilience and the ef-
13 fects of climate change on military installations, to remain
14 available until September 30, 2026:

15 “Military Construction, Army”, \$25,000,000;

16 “Military Construction, Navy and Marine
17 Corps”, \$25,000,000;

18 “Military Construction, Air Force”,
19 \$25,000,000; and

20 “Military Construction, Defense-Wide”,
21 \$25,000,000:

22 *Provided*, That not later than 60 days after enactment of
23 this Act, the Secretary of the military department con-
24 cerned, or a duly authorized designee, shall submit to the
25 Committees on Appropriations of both Houses of Congress

1 an expenditure plan for funds provided under this section:
2 *Provided further*, That the Secretary of the military de-
3 partment concerned may not obligate or expend any funds
4 prior to approval by the Committees on Appropriations of
5 both Houses of Congress of the expenditure plan required
6 by this section.

7 SEC. 128. For an additional amount for the accounts
8 and in the amounts specified for child development cen-
9 ters, to remain available until September 30, 2026:

10 “Military Construction, Army”, \$72,000,000;
11 “Military Construction, Navy and Marine
12 Corps”, \$11,000,000; and
13 “Military Construction, Air Force”,
14 \$64,000,000:

15 *Provided*, That such funds may only be obligated to carry
16 out construction projects and planning and design identi-
17 fied in the respective military department’s unfunded pri-
18 ority list for fiscal year 2022 submitted to Congress: *Pro-*
19 *vided further*, That not later than 60 days after enactment
20 of this Act, the Secretary of the military department con-
21 cerned, or a duly authorized designee, shall submit to the
22 Committees on Appropriations of both Houses of Congress
23 an expenditure plan for funds provided under this section.

1 SEC. 129. For an additional amount for the accounts
2 and in the amounts specified for barracks, to remain avail-
3 able until September 30, 2026:

4 “Military Construction, Army”, \$90,200,000;
5 “Military Construction, Army National Guard”,
6 \$24,800,000; and
7 “Military Construction, Army Reserve”,
8 \$122,200,000:

9 *Provided*, That such funds may only be obligated to carry
10 out construction projects identified in the respective mili-
11 tary department’s unfunded priority list for fiscal year
12 2022 submitted to Congress: *Provided further*, That not
13 later than 60 days after enactment of this Act, the Sec-
14 retary of the military department concerned, or a duly au-
15 thorized designee, shall submit to the Committees on Ap-
16 propriations of both Houses of Congress an expenditure
17 plan for funds provided under this section.

18 SEC. 130. For an additional amount for “Military
19 Construction, Navy and Marine Corps”, \$225,000,000, to
20 remain available until September 30, 2026, for Shipyard
21 Infrastructure Optimization Plan unspecified worldwide
22 construction: *Provided*, That such funds may only be obli-
23 gated to carry out construction projects identified in the
24 respective military department’s unfunded priority list for
25 fiscal year 2022 submitted to Congress: *Provided further*,

1 That not later than 60 days after enactment of this Act,
2 the Secretary of the military department concerned, or a
3 duly authorized designee, shall submit to the Committees
4 on Appropriations of both Houses of Congress an expendi-
5 ture plan for funds provided under this section.

6 SEC. 131. For an additional amount for “Military
7 Construction, Army National Guard”, \$100,000,000, to
8 remain available until September 30, 2026, for construc-
9 tion associated with the Army National Guard Trans-
10 formation Plan: *Provided*, That not later than 60 days
11 after enactment of this Act, the Secretary of the military
12 department concerned, or a duly authorized designee, shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress an expenditure plan for funds pro-
15 vided under this section.

16 SEC. 132. For an additional amount for the accounts
17 and in the amounts specified for expenses incurred as a
18 result of natural disasters, to remain available until Sep-
19 tember 30, 2026:

20 “Military Construction, Navy and Marine
21 Corps”, \$62,966,000; and

22 “Military Construction, Air Force”,
23 \$100,000,000:

24 *Provided*, That not later than 60 days after enactment of
25 this Act, the Secretary of the military department con-

cerned, or a duly authorized designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 133. None of the funds made available by this Act may be used to construct any facilities, nor obligate planning and design, associated with Space Force until the Department of Defense Office of Inspector General and the Government Accountability Office complete the site selection reviews.

TITLE II
DEPARTMENT OF VETERANS AFFAIRS
VETERANS BENEFITS ADMINISTRATION
COMPENSATION AND PENSIONS
(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV

1 of the Servicemembers Civil Relief Act (50 U.S.C. App.
2 541 et seq.) and for other benefits as authorized by sec-
3 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
4 53, 55, and 61 of title 38, United States Code,
5 \$7,347,837,000, which shall be in addition to funds pre-
6 viously appropriated under this heading that became avail-
7 able on October 1, 2021, to remain available until ex-
8 pended; and, in addition, \$147,569,474,000, which shall
9 become available on October 1, 2022, to remain available
10 until expended: *Provided*, That not to exceed \$20,115,000
11 of the amount made available for fiscal year 2023 under
12 this heading shall be reimbursed to “General Operating
13 Expenses, Veterans Benefits Administration”, and “Infor-
14 mation Technology Systems” for necessary expenses in
15 implementing the provisions of chapters 51, 53, and 55
16 of title 38, United States Code, the funding source for
17 which is specifically provided as the “Compensation and
18 Pensions” appropriation: *Provided further*, That such
19 sums as may be earned on an actual qualifying patient
20 basis, shall be reimbursed to “Medical Care Collections
21 Fund” to augment the funding of individual medical facili-
22 ties for nursing home care provided to pensioners as au-
23 thorized.

1 READJUSTMENT BENEFITS

2 For the payment of readjustment and rehabilitation
3 benefits to or on behalf of veterans as authorized by chap-
4 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
5 61 of title 38, United States Code, \$8,906,851,000, which
6 shall become available on October 1, 2022, to remain
7 available until expended: *Provided*, That expenses for re-
8 habilitation program services and assistance which the
9 Secretary is authorized to provide under subsection (a) of
10 section 3104 of title 38, United States Code, other than
11 under paragraphs (1), (2), (5), and (11) of that sub-
12 section, shall be charged to this account.

13 VETERANS INSURANCE AND INDEMNITIES

14 For military and naval insurance, national service life
15 insurance, servicemen's indemnities, service-disabled vet-
16 erans insurance, and veterans mortgage life insurance as
17 authorized by chapters 19 and 21 of title 38, United
18 States Code, \$109,865,000, which shall become available
19 on October 1, 2022, to remain available until expended.

20 VETERANS HOUSING BENEFIT PROGRAM FUND

21 For the cost of direct and guaranteed loans, such
22 sums as may be necessary to carry out the program, as
23 authorized by subchapters I through III of chapter 37 of
24 title 38, United States Code: *Provided*, That such costs,
25 including the cost of modifying such loans, shall be as de-

1 fined in section 502 of the Congressional Budget Act of
2 1974: *Provided further*, That, during fiscal year 2022,
3 within the resources available, not to exceed \$500,000 in
4 gross obligations for direct loans are authorized for spe-
5 cially adapted housing loans.

6 In addition, for administrative expenses to carry out
7 the direct and guaranteed loan programs, \$229,500,000.

8 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

9 For the cost of direct loans, \$2,838, as authorized
10 by chapter 31 of title 38, United States Code: *Provided*,
11 That such costs, including the cost of modifying such
12 loans, shall be as defined in section 502 of the Congres-
13 sional Budget Act of 1974: *Provided further*, That funds
14 made available under this heading are available to sub-
15 sidize gross obligations for the principal amount of direct
16 loans not to exceed \$1,662,758.

17 In addition, for administrative expenses necessary to
18 carry out the direct loan program, \$429,467, which may
19 be paid to the appropriation for “General Operating Ex-
20 penses, Veterans Benefits Administration”.

21 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

22 ACCOUNT

23 For administrative expenses to carry out the direct
24 loan program authorized by subchapter V of chapter 37
25 of title 38, United States Code, \$1,400,000.

1 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

2 ADMINISTRATION

3 For necessary operating expenses of the Veterans
4 Benefits Administration, not otherwise provided for, in-
5 cluding hire of passenger motor vehicles, reimbursement
6 of the General Services Administration for security guard
7 services, and reimbursement of the Department of De-
8 fense for the cost of overseas employee mail,
9 \$3,419,400,000: *Provided*, That expenses for services and
10 assistance authorized under paragraphs (1), (2), (5), and
11 (11) of section 3104(a) of title 38, United States Code,
12 that the Secretary of Veterans Affairs determines are nec-
13 essary to enable entitled veterans: (1) to the maximum ex-
14 tent feasible, to become employable and to obtain and
15 maintain suitable employment; or (2) to achieve maximum
16 independence in daily living, shall be charged to this ac-
17 count: *Provided further*, That, of the funds made available
18 under this heading, not to exceed 10 percent shall remain
19 available until September 30, 2023.

20 VETERANS HEALTH ADMINISTRATION

21 MEDICAL SERVICES

22 For necessary expenses for furnishing, as authorized
23 by law, inpatient and outpatient care and treatment to
24 beneficiaries of the Department of Veterans Affairs and
25 veterans described in section 1705(a) of title 38, United

1 States Code, including care and treatment in facilities not
2 under the jurisdiction of the Department, and including
3 medical supplies and equipment, bioengineering services,
4 food services, and salaries and expenses of healthcare em-
5 ployees hired under title 38, United States Code, assist-
6 ance and support services for caregivers as authorized by
7 section 1720G of title 38, United States Code, loan repay-
8 ments authorized by section 604 of the Caregivers and
9 Veterans Omnibus Health Services Act of 2010 (Public
10 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
11 monthly assistance allowances authorized by section
12 322(d) of title 38, United States Code, grants authorized
13 by section 521A of title 38, United States Code, and ad-
14 ministrative expenses necessary to carry out sections
15 322(d) and 521A of title 38, United States Code, and hos-
16 pital care and medical services authorized by section 1787
17 of title 38, United States Code; \$100,000,000, to remain
18 available until September 30, 2023, which shall be in addi-
19 tion to funds previously appropriated under this heading
20 that become available on October 1, 2021; and, in addi-
21 tion, \$70,323,116,000, plus reimbursements, shall become
22 available on October 1, 2022, and shall remain available
23 until September 30, 2023: *Provided*, That, of the amount
24 made available on October 1, 2022, under this heading,
25 \$1,500,000,000 shall remain available until September 30,

1 2024: *Provided further*, That, notwithstanding any other
2 provision of law, the Secretary of Veterans Affairs shall
3 establish a priority for the provision of medical treatment
4 for veterans who have service-connected disabilities, lower
5 income, or have special needs: *Provided further*, That, not-
6 withstanding any other provision of law, the Secretary of
7 Veterans Affairs shall give priority funding for the provi-
8 sion of basic medical benefits to veterans in enrollment
9 priority groups 1 through 6: *Provided further*, That, not-
10 withstanding any other provision of law, the Secretary of
11 Veterans Affairs may authorize the dispensing of prescrip-
12 tion drugs from Veterans Health Administration facilities
13 to enrolled veterans with privately written prescriptions
14 based on requirements established by the Secretary: *Pro-*
15 *vided further*, That the implementation of the program de-
16 scribed in the previous proviso shall incur no additional
17 cost to the Department of Veterans Affairs: *Provided fur-*
18 *ther*, That the Secretary of Veterans Affairs shall ensure
19 that sufficient amounts appropriated under this heading
20 for medical supplies and equipment are available for the
21 acquisition of prosthetics designed specifically for female
22 veterans.

23 MEDICAL COMMUNITY CARE

24 For necessary expenses for furnishing health care to
25 individuals pursuant to chapter 17 of title 38, United

1 States Code, at non-Department facilities,
2 \$3,269,000,000, which shall be in addition to funds pre-
3 viously appropriated under this heading that become avail-
4 able on October 1, 2021; and, in addition,
5 \$24,156,659,000, plus reimbursements, shall become
6 available on October 1, 2022, and shall remain available
7 until September 30, 2023: *Provided*, That, of the amount
8 made available on October 1, 2022, under this heading,
9 \$2,000,000,000 shall remain available until September 30,
10 2024.

11 MEDICAL SUPPORT AND COMPLIANCE

12 For necessary expenses in the administration of the
13 medical, hospital, nursing home, domiciliary, construction,
14 supply, and research activities, as authorized by law; ad-
15 ministrative expenses in support of capital policy activi-
16 ties; and administrative and legal expenses of the Depart-
17 ment for collecting and recovering amounts owed the De-
18 partment as authorized under chapter 17 of title 38,
19 United States Code, and the Federal Medical Care Recov-
20 ery Act (42 U.S.C. 2651 et seq.), \$9,673,409,000, plus
21 reimbursements, shall become available on October 1,
22 2022, and shall remain available until September 30,
23 2023: *Provided*, That, of the amount made available on
24 October 1, 2022, under this heading, \$200,000,000 shall
25 remain available until September 30, 2024.

1 MEDICAL FACILITIES

2 For necessary expenses for the maintenance and op-
3 eration of hospitals, nursing homes, domiciliary facilities,
4 and other necessary facilities of the Veterans Health Ad-
5 ministration; for administrative expenses in support of
6 planning, design, project management, real property ac-
7 quisition and disposition, construction, and renovation of
8 any facility under the jurisdiction or for the use of the
9 Department; for oversight, engineering, and architectural
10 activities not charged to project costs; for repairing, alter-
11 ing, improving, or providing facilities in the several hos-
12 pitals and homes under the jurisdiction of the Depart-
13 ment, not otherwise provided for, either by contract or by
14 the hire of temporary employees and purchase of mate-
15 rials; for leases of facilities; and for laundry services;
16 \$7,133,816,000, plus reimbursements, shall become avail-
17 able on October 1, 2022, and shall remain available until
18 September 30, 2023: *Provided*, That, of the amount made
19 available on October 1, 2022, under this heading,
20 \$350,000,000 shall remain available until September 30,
21 2024.

22 MEDICAL AND PROSTHETIC RESEARCH

23 For necessary expenses in carrying out programs of
24 medical and prosthetic research and development as au-
25 thorized by chapter 73 of title 38, United States Code,

1 \$902,000,000, plus reimbursements, shall remain avail-
2 able until September 30, 2023: *Provided*, That the Sec-
3 retary of Veterans Affairs shall ensure that sufficient
4 amounts appropriated under this heading are available for
5 prosthetic research specifically for female veterans, and
6 for toxic exposure research.

7 NATIONAL CEMETERY ADMINISTRATION

8 For necessary expenses of the National Cemetery Ad-
9 ministration for operations and maintenance, not other-
10 wise provided for, including uniforms or allowances there-
11 for; cemeterial expenses as authorized by law; purchase
12 of one passenger motor vehicle for use in cemeterial oper-
13 ations; hire of passenger motor vehicles; and repair, alter-
14 ation or improvement of facilities under the jurisdiction
15 of the National Cemetery Administration, \$392,000,000,
16 of which not to exceed 10 percent shall remain available
17 until September 30, 2023.

18 DEPARTMENTAL ADMINISTRATION

19 GENERAL ADMINISTRATION

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary operating expenses of the Department
22 of Veterans Affairs, not otherwise provided for, including
23 administrative expenses in support of Department-wide
24 capital planning, management and policy activities, uni-
25 forms, or allowances therefor; not to exceed \$25,000 for

1 official reception and representation expenses; hire of pas-
2 senger motor vehicles; and reimbursement of the General
3 Services Administration for security guard services,
4 \$396,911,000, of which not to exceed 10 percent shall re-
5 main available until September 30, 2023: *Provided*, That
6 funds provided under this heading may be transferred to
7 “General Operating Expenses, Veterans Benefits Adminis-
8 tration”.

9 ASSET AND INFRASTRUCTURE REVIEW

10 For carrying out the VA Asset and Infrastructure
11 Review Act of 2018 (subtitle A of title II of Public Law
12 115–182), \$5,000,000, to remain available until Sep-
13 tember 30, 2023.

14 BOARD OF VETERANS APPEALS

15 For necessary operating expenses of the Board of
16 Veterans Appeals, \$228,000,000, of which not to exceed
17 10 percent shall remain available until September 30,
18 2023.

19 INFORMATION TECHNOLOGY SYSTEMS

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses for information technology
22 systems and telecommunications support, including devel-
23 opmental information systems and operational information
24 systems; for pay and associated costs; and for the capital
25 asset acquisition of information technology systems, in-

1 cluding management and related contractual costs of said
2 acquisitions, including contractual costs associated with
3 operations authorized by section 3109 of title 5, United
4 States Code, \$4,842,800,000, plus reimbursements: *Pro-*
5 *vided*, That \$1,414,215,000 shall be for pay and associ-
6 ated costs, of which not to exceed 3 percent shall remain
7 available until September 30, 2023: *Provided further*, That
8 \$3,131,585,000 shall be for operations and maintenance,
9 of which not to exceed 5 percent shall remain available
10 until September 30, 2023: *Provided further*, That
11 \$297,000,000 shall be for information technology systems
12 development, and shall remain available until September
13 30, 2023: *Provided further*, That amounts made available
14 for salaries and expenses, operations and maintenance,
15 and information technology systems development may be
16 transferred among the three subaccounts after the Sec-
17 retary of Veterans Affairs requests from the Committees
18 on Appropriations of both Houses of Congress the author-
19 ity to make the transfer and an approval is issued: *Pro-*
20 *vided further*, That amounts made available for the “Infor-
21 mation Technology Systems” account for development
22 may be transferred among projects or to newly defined
23 projects: *Provided further*, That no project may be in-
24 creased or decreased by more than \$3,000,000 of cost
25 prior to submitting a request to the Committees on Appro-

1 priations of both Houses of Congress to make the transfer
2 and an approval is issued, or absent a response, a period
3 of 30 days has elapsed: *Provided further*, That the funds
4 made available under this heading for information tech-
5 nology systems development shall be for the projects, and
6 in the amounts, specified under this heading in the report
7 accompanying this Act.

8 VETERANS ELECTRONIC HEALTH RECORD

9 For activities related to implementation, preparation,
10 development, interface, management, rollout, and mainte-
11 nance of a Veterans Electronic Health Record system, in-
12 cluding contractual costs associated with operations au-
13 thorized by section 3109 of title 5, United States Code,
14 and salaries and expenses of employees hired under titles
15 5 and 38, United States Code, \$2,637,000,000, to remain
16 available until September 30, 2024: *Provided*, That the
17 Secretary of Veterans Affairs shall submit to the Commit-
18 tees on Appropriations of both Houses of Congress quar-
19 terly reports detailing obligations, expenditures, and de-
20 ployment implementation by facility, including any
21 changes from the deployment plan or schedule: *Provided*
22 *further*, That the funds provided in this account shall only
23 be available to the Office of the Deputy Secretary, to be
24 administered by that Office: *Provided further*, That 25
25 percent of the funds made available under this heading

1 shall not be available until July 1, 2022, and are contin-
2 gent upon the Secretary of Veterans Affairs providing a
3 certification within 7 days prior to that date to the Com-
4 mittees on Appropriations of any changes to the deploy-
5 ment schedules.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General, to include information technology, in carrying out
9 the provisions of the Inspector General Act of 1978 (5
10 U.S.C. App.), \$239,000,000, of which not to exceed 10
11 percent shall remain available until September 30, 2023.

12 CONSTRUCTION, MAJOR PROJECTS

13 For constructing, altering, extending, and improving
14 any of the facilities, including parking projects, under the
15 jurisdiction or for the use of the Department of Veterans
16 Affairs, or for any of the purposes set forth in sections
17 316, 2404, 2406 and chapter 81 of title 38, United States
18 Code, not otherwise provided for, including planning, ar-
19 chitectural and engineering services, construction manage-
20 ment services, maintenance or guarantee period services
21 costs associated with equipment guarantees provided
22 under the project, services of claims analysts, offsite utility
23 and storm drainage system construction costs, and site ac-
24 quisition, where the estimated cost of a project is more
25 than the amount set forth in section 8104(a)(3)(A) of title

1 38, United States Code, or where funds for a project were
2 made available in a previous major project appropriation,
3 \$1,611,000,000, of which \$657,326,000 shall remain
4 available until September 30, 2026, and of which
5 \$953,674,000 shall remain available until expended, of
6 which \$100,000,000 shall be available for seismic improve-
7 ment projects and seismic program management activities,
8 including for projects that would otherwise be funded by
9 the Construction, Minor Projects, Medical Facilities or
10 National Cemetery Administration accounts: *Provided,*
11 That except for advance planning activities, including
12 needs assessments which may or may not lead to capital
13 investments, and other capital asset management related
14 activities, including portfolio development and manage-
15 ment activities, and planning, cost estimating, and design
16 for major medical facility projects and major medical facil-
17 ity leases and investment strategy studies funded through
18 the advance planning fund and the planning and design
19 activities funded through the design fund, staffing ex-
20 penses, and funds provided for the purchase, security, and
21 maintenance of land for the National Cemetery Adminis-
22 tration through the land acquisition line item, none of the
23 funds made available under this heading shall be used for
24 any project that has not been notified to Congress through
25 the budgetary process or that has not been approved by

1 the Congress through statute, joint resolution, or in the
2 explanatory statement accompanying such Act and pre-
3 sented to the President at the time of enrollment: *Provided*
4 *further*, That such sums as may be necessary shall be
5 available to reimburse the “General Administration” ac-
6 count for payment of salaries and expenses of all Office
7 of Construction and Facilities Management employees to
8 support the full range of capital infrastructure services
9 provided, including minor construction and leasing serv-
10 ices: *Provided further*, That funds made available under
11 this heading for fiscal year 2022, for each approved
12 project shall be obligated: (1) by the awarding of a con-
13 struction documents contract by September 30, 2022; and
14 (2) by the awarding of a construction contract by Sep-
15 tember 30, 2023: *Provided further*, That the Secretary of
16 Veterans Affairs shall promptly submit to the Committees
17 on Appropriations of both Houses of Congress a written
18 report on any approved major construction project for
19 which obligations are not incurred within the time limita-
20 tions established above: *Provided further*, That notwith-
21 standing the requirements of section 8104(a) of title 38,
22 United States Code, amounts made available under this
23 heading for seismic improvement projects and seismic pro-
24 gram management activities shall be available for the com-

1 pletion of both new and existing seismic projects of the
2 Department.

3 CONSTRUCTION, MINOR PROJECTS

4 For constructing, altering, extending, and improving
5 any of the facilities, including parking projects, under the
6 jurisdiction or for the use of the Department of Veterans
7 Affairs, including planning and assessments of needs
8 which may lead to capital investments, architectural and
9 engineering services, maintenance or guarantee period
10 services costs associated with equipment guarantees pro-
11 vided under the project, services of claims analysts, offsite
12 utility and storm drainage system construction costs, and
13 site acquisition, or for any of the purposes set forth in
14 sections 316, 2404, 2406 and chapter 81 of title 38,
15 United States Code, not otherwise provided for, where the
16 estimated cost of a project is equal to or less than the
17 amount set forth in section 8104(a)(3)(A) of title 38,
18 United States Code, \$553,000,000, of which
19 \$497,700,000 shall remain available until September 30,
20 2026, and of which \$55,300,000 shall remain available
21 until expended, along with unobligated balances of pre-
22 vious “Construction, Minor Projects” appropriations
23 which are hereby made available for any project where the
24 estimated cost is equal to or less than the amount set forth
25 in such section: *Provided*, That funds made available

1 under this heading shall be for: (1) repairs to any of the
2 nonmedical facilities under the jurisdiction or for the use
3 of the Department which are necessary because of loss or
4 damage caused by any natural disaster or catastrophe;
5 and (2) temporary measures necessary to prevent or to
6 minimize further loss by such causes.

7 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
8 FACILITIES

9 For grants to assist States to acquire or construct
10 State nursing home and domiciliary facilities and to re-
11 model, modify, or alter existing hospital, nursing home,
12 and domiciliary facilities in State homes, for furnishing
13 care to veterans as authorized by sections 8131 through
14 8137 of title 38, United States Code, \$90,000,000, to re-
15 main available until expended.

16 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

17 For grants to assist States and tribal organizations
18 in establishing, expanding, or improving veterans ceme-
19 teries as authorized by section 2408 of title 38, United
20 States Code, \$47,097,000, to remain available until ex-
21 pended.

22 ADMINISTRATIVE PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 201. Any appropriation for fiscal year 2022 for
25 “Compensation and Pensions”, “Readjustment Benefits”,

1 and “Veterans Insurance and Indemnities” may be trans-
2 ferred as necessary to any other of the mentioned appro-
3 priations: *Provided*, That, before any such transfer may
4 take place, the Secretary of Veterans Affairs shall request
5 from the Committees on Appropriations of both Houses
6 of Congress the authority to make the transfer and such
7 Committees issue an approval, or absent a response, a pe-
8 riod of 30 days has elapsed.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 202. Amounts made available for the Depart-
11 ment of Veterans Affairs for fiscal year 2022, in this or
12 any other Act, under the “Medical Services”, “Medical
13 Community Care”, “Medical Support and Compliance”,
14 and “Medical Facilities” accounts may be transferred
15 among the accounts: *Provided*, That any transfers among
16 the “Medical Services”, “Medical Community Care”, and
17 “Medical Support and Compliance” accounts of 1 percent
18 or less of the total amount appropriated to the account
19 in this or any other Act may take place subject to notifica-
20 tion from the Secretary of Veterans Affairs to the Com-
21 mittees on Appropriations of both Houses of Congress of
22 the amount and purpose of the transfer: *Provided further*,
23 That any transfers among the “Medical Services”, “Med-
24 ical Community Care”, and “Medical Support and Compli-
25 ance” accounts in excess of 1 percent, or exceeding the

1 cumulative 1 percent for the fiscal year, may take place
2 only after the Secretary requests from the Committees on
3 Appropriations of both Houses of Congress the authority
4 to make the transfer and an approval is issued: *Provided*
5 *further*, That any transfers to or from the “Medical Facili-
6 ties” account may take place only after the Secretary re-
7 quests from the Committees on Appropriations of both
8 Houses of Congress the authority to make the transfer
9 and an approval is issued.

10 SEC. 203. Appropriations available in this title for
11 salaries and expenses shall be available for services au-
12 thorized by section 3109 of title 5, United States Code;
13 hire of passenger motor vehicles; lease of a facility or land
14 or both; and uniforms or allowances therefore, as author-
15 ized by sections 5901 through 5902 of title 5, United
16 States Code.

17 SEC. 204. No appropriations in this title (except the
18 appropriations for “Construction, Major Projects”, and
19 “Construction, Minor Projects”) shall be available for the
20 purchase of any site for or toward the construction of any
21 new hospital or home.

22 SEC. 205. No appropriations in this title shall be
23 available for hospitalization or examination of any persons
24 (except beneficiaries entitled to such hospitalization or ex-
25 amination under the laws providing such benefits to vet-

1 erans, and persons receiving such treatment under sec-
2 tions 7901 through 7904 of title 5, United States Code,
3 or the Robert T. Stafford Disaster Relief and Emergency
4 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
5 bursement of the cost of such hospitalization or examina-
6 tion is made to the “Medical Services” account at such
7 rates as may be fixed by the Secretary of Veterans Affairs.

8 SEC. 206. Appropriations available in this title for
9 “Compensation and Pensions”, “Readjustment Benefits”,
10 and “Veterans Insurance and Indemnities” shall be avail-
11 able for payment of prior year accrued obligations re-
12 quired to be recorded by law against the corresponding
13 prior year accounts within the last quarter of fiscal year
14 2021.

15 SEC. 207. Appropriations available in this title shall
16 be available to pay prior year obligations of corresponding
17 prior year appropriations accounts resulting from sections
18 3328(a), 3334, and 3712(a) of title 31, United States
19 Code, except that if such obligations are from trust fund
20 accounts they shall be payable only from “Compensation
21 and Pensions”.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 208. Notwithstanding any other provision of
24 law, during fiscal year 2022, the Secretary of Veterans
25 Affairs shall, from the National Service Life Insurance

1 Fund under section 1920 of title 38, United States Code,
2 the Veterans' Special Life Insurance Fund under section
3 1923 of title 38, United States Code, and the United
4 States Government Life Insurance Fund under section
5 1955 of title 38, United States Code, reimburse the "Gen-
6 eral Operating Expenses, Veterans Benefits Administra-
7 tion" and "Information Technology Systems" accounts for
8 the cost of administration of the insurance programs fi-
9 nanced through those accounts: *Provided*, That reimburse-
10 ment shall be made only from the surplus earnings accu-
11 mulated in such an insurance program during fiscal year
12 2022 that are available for dividends in that program after
13 claims have been paid and actuarially determined reserves
14 have been set aside: *Provided further*, That if the cost of
15 administration of such an insurance program exceeds the
16 amount of surplus earnings accumulated in that program,
17 reimbursement shall be made only to the extent of such
18 surplus earnings: *Provided further*, That the Secretary
19 shall determine the cost of administration for fiscal year
20 2022 which is properly allocable to the provision of each
21 such insurance program and to the provision of any total
22 disability income insurance included in that insurance pro-
23 gram.

24 SEC. 209. Amounts deducted from enhanced-use
25 lease proceeds to reimburse an account for expenses in-

1 curred by that account during a prior fiscal year for pro-
2 viding enhanced-use lease services, shall be available until
3 expended.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 210. Funds available in this title or funds for
6 salaries and other administrative expenses shall also be
7 available to reimburse the Office of Resolution Manage-
8 ment, Diversity and Inclusion, the Office of Employment
9 Discrimination Complaint Adjudication, and the Alter-
10 native Dispute Resolution function within the Office of
11 Human Resources and Administration for all services pro-
12 vided at rates which will recover actual costs but not to
13 exceed \$78,417,225 for the Office of Resolution Manage-
14 ment, Diversity and Inclusion, \$6,609,000 for the Office
15 of Employment Discrimination Complaint Adjudication,
16 and \$3,822,000 for the Alternative Dispute Resolution
17 function within the Office of Human Resources and Ad-
18 ministration: *Provided*, That payments may be made in
19 advance for services to be furnished based on estimated
20 costs: *Provided further*, That amounts received shall be
21 credited to the “General Administration” and “Informa-
22 tion Technology Systems” accounts for use by the office
23 that provided the service.

24 SEC. 211. No funds of the Department of Veterans
25 Affairs shall be available for hospital care, nursing home

1 care, or medical services provided to any person under
2 chapter 17 of title 38, United States Code, for a non-serv-
3 ice-connected disability described in section 1729(a)(2) of
4 such title, unless that person has disclosed to the Sec-
5 retary of Veterans Affairs, in such form as the Secretary
6 may require, current, accurate third-party reimbursement
7 information for purposes of section 1729 of such title: *Pro-*
8 *vided*, That the Secretary may recover, in the same man-
9 ner as any other debt due the United States, the reason-
10 able charges for such care or services from any person who
11 does not make such disclosure as required: *Provided fur-*
12 *ther*, That any amounts so recovered for care or services
13 provided in a prior fiscal year may be obligated by the
14 Secretary during the fiscal year in which amounts are re-
15 ceived.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 212. Notwithstanding any other provision of
18 law, proceeds or revenues derived from enhanced-use leas-
19 ing activities (including disposal) may be deposited into
20 the “Construction, Major Projects” and “Construction,
21 Minor Projects” accounts and be used for construction
22 (including site acquisition and disposition), alterations,
23 and improvements of any medical facility under the juris-
24 diction or for the use of the Department of Veterans Af-
25 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-
2 struction, Minor Projects”.

3 SEC. 213. Amounts made available under “Medical
4 Services” are available—

5 (1) for furnishing recreational facilities, sup-
6 plies, and equipment; and

7 (2) for funeral expenses, burial expenses, and
8 other expenses incidental to funerals and burials for
9 beneficiaries receiving care in the Department.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 214. Such sums as may be deposited in the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, may be transferred to the
14 “Medical Services” and “Medical Community Care” ac-
15 counts to remain available until expended for the purposes
16 of these accounts.

17 SEC. 215. The Secretary of Veterans Affairs may
18 enter into agreements with Federally Qualified Health
19 Centers in the State of Alaska and Indian tribes and tribal
20 organizations which are party to the Alaska Native Health
21 Compact with the Indian Health Service, to provide
22 healthcare, including behavioral health and dental care, to
23 veterans in rural Alaska. The Secretary shall require par-
24 ticipating veterans and facilities to comply with all appro-
25 priate rules and regulations, as established by the Sec-

1 retary. The term “rural Alaska” shall mean those lands
2 which are not within the boundaries of the municipality
3 of Anchorage or the Fairbanks North Star Borough.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 216. Such sums as may be deposited to the De-
6 partment of Veterans Affairs Capital Asset Fund pursu-
7 ant to section 8118 of title 38, United States Code, may
8 be transferred to the “Construction, Major Projects” and
9 “Construction, Minor Projects” accounts, to remain avail-
10 able until expended for the purposes of these accounts.

11 SEC. 217. Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a report on the financial status of the
15 Department of Veterans Affairs for the preceding quarter:
16 *Provided*, That, at a minimum, the report shall include
17 the direction contained in the paragraph entitled “Quar-
18 terly reporting”, under the heading “General Administra-
19 tion” in the joint explanatory statement accompanying
20 Public Law 114–223.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 218. Amounts made available under the “Med-
23 ical Services”, “Medical Community Care”, “Medical Sup-
24 port and Compliance”, “Medical Facilities”, “General Op-
25 erating Expenses, Veterans Benefits Administration”,

1 “Board of Veterans Appeals”, “General Administration”,
2 and “National Cemetery Administration” accounts for fis-
3 cal year 2022 may be transferred to or from the “Informa-
4 tion Technology Systems” account: *Provided*, That such
5 transfers may not result in a more than 10 percent aggre-
6 gate increase in the total amount made available by this
7 Act for the “Information Technology Systems” account:
8 *Provided further*, That, before a transfer may take place,
9 the Secretary of Veterans Affairs shall request from the
10 Committees on Appropriations of both Houses of Congress
11 the authority to make the transfer and an approval is
12 issued.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 219. Of the amounts appropriated to the De-
15 partment of Veterans Affairs for fiscal year 2022 for
16 “Medical Services”, “Medical Community Care”, “Medical
17 Support and Compliance”, “Medical Facilities”, “Con-
18 struction, Minor Projects”, and “Information Technology
19 Systems”, up to \$379,009,000, plus reimbursements, may
20 be transferred to the Joint Department of Defense—De-
21 partment of Veterans Affairs Medical Facility Demonstra-
22 tion Fund, established by section 1704 of the National De-
23 fense Authorization Act for Fiscal Year 2010 (Public Law
24 111–84; 123 Stat. 3571) and may be used for operation
25 of the facilities designated as combined Federal medical

1 facilities as described by section 706 of the Duncan Hun-
2 ter National Defense Authorization Act for Fiscal Year
3 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
4 That additional funds may be transferred from accounts
5 designated in this section to the Joint Department of De-
6 fense—Department of Veterans Affairs Medical Facility
7 Demonstration Fund upon written notification by the Sec-
8 retary of Veterans Affairs to the Committees on Appro-
9 priations of both Houses of Congress: *Provided further*,
10 That section 220 of title II of division J of Public Law
11 116–260 is repealed.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 220. Of the amounts appropriated to the De-
14 partment of Veterans Affairs which become available on
15 October 1, 2022, for “Medical Services”, “Medical Com-
16 munity Care”, “Medical Support and Compliance”, and
17 “Medical Facilities”, up to \$323,242,000, plus reimburse-
18 ments, may be transferred to the Joint Department of De-
19 fense—Department of Veterans Affairs Medical Facility
20 Demonstration Fund, established by section 1704 of the
21 National Defense Authorization Act for Fiscal Year 2010
22 (Public Law 111–84; 123 Stat. 3571) and may be used
23 for operation of the facilities designated as combined Fed-
24 eral medical facilities as described by section 706 of the
25 Duncan Hunter National Defense Authorization Act for

1 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
2 *Provided*, That additional funds may be transferred from
3 accounts designated in this section to the Joint Depart-
4 ment of Defense—Department of Veterans Affairs Med-
5 ical Facility Demonstration Fund upon written notifica-
6 tion by the Secretary of Veterans Affairs to the Commit-
7 tees on Appropriations of both Houses of Congress.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 221. Such sums as may be deposited to the
10 Medical Care Collections Fund pursuant to section 1729A
11 of title 38, United States Code, for healthcare provided
12 at facilities designated as combined Federal medical facili-
13 ties as described by section 706 of the Duncan Hunter
14 National Defense Authorization Act for Fiscal Year 2009
15 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
16 able: (1) for transfer to the Joint Department of De-
17 fense—Department of Veterans Affairs Medical Facility
18 Demonstration Fund, established by section 1704 of the
19 National Defense Authorization Act for Fiscal Year 2010
20 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
21 ations of the facilities designated as combined Federal
22 medical facilities as described by section 706 of the Dun-
23 can Hunter National Defense Authorization Act for Fiscal
24 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
25 *vided*, That, notwithstanding section 1704(b)(3) of the

1 National Defense Authorization Act for Fiscal Year 2010
2 (Public Law 111–84; 123 Stat. 2573), amounts trans-
3 ferred to the Joint Department of Defense—Department
4 of Veterans Affairs Medical Facility Demonstration Fund
5 shall remain available until expended.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 222. Of the amounts available in this title for
8 “Medical Services”, “Medical Community Care”, “Medical
9 Support and Compliance”, and “Medical Facilities”, a
10 minimum of \$15,000,000 shall be transferred to the
11 DOD–VA Health Care Sharing Incentive Fund, as au-
12 thorized by section 8111(d) of title 38, United States
13 Code, to remain available until expended, for any purpose
14 authorized by section 8111 of title 38, United States Code.

15 SEC. 223. The Secretary of Veterans Affairs shall no-
16 tify the Committees on Appropriations of both Houses of
17 Congress of all bid savings in a major construction project
18 that total at least \$5,000,000, or 5 percent of the pro-
19 grammed amount of the project, whichever is less: *Pro-*
20 *vided*, That such notification shall occur within 14 days
21 of a contract identifying the programmed amount: *Pro-*
22 *vided further*, That the Secretary shall notify the Commit-
23 tees on Appropriations of both Houses of Congress 14
24 days prior to the obligation of such bid savings and shall
25 describe the anticipated use of such savings.

1 SEC. 224. None of the funds made available for
2 “Construction, Major Projects” may be used for a project
3 in excess of the scope specified for that project in the origi-
4 nal justification data provided to the Congress as part of
5 the request for appropriations unless the Secretary of Vet-
6 erans Affairs receives approval from the Committees on
7 Appropriations of both Houses of Congress.

8 SEC. 225. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a quarterly report containing perform-
12 ance measures and data from each Veterans Benefits Ad-
13 ministration Regional Office: *Provided*, That, at a min-
14 imum, the report shall include the direction contained in
15 the section entitled “Disability claims backlog”, under the
16 heading “General Operating Expenses, Veterans Benefits
17 Administration” in the joint explanatory statement accom-
18 panying Public Law 114–223: *Provided further*, That the
19 report shall also include information on the number of ap-
20 peals pending at the Veterans Benefits Administration as
21 well as the Board of Veterans Appeals on a quarterly
22 basis.

23 SEC. 226. The Secretary of Veterans Affairs shall
24 provide written notification to the Committees on Appro-
25 priations of both Houses of Congress 15 days prior to or-

1 ganizational changes which result in the transfer of 25 or
2 more full-time equivalents from one organizational unit of
3 the Department of Veterans Affairs to another.

4 SEC. 227. The Secretary of Veterans Affairs shall
5 provide on a quarterly basis to the Committees on Appro-
6 priations of both Houses of Congress notification of any
7 single national outreach and awareness marketing cam-
8 paign in which obligations exceed \$1,000,000.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 228. The Secretary of Veterans Affairs, upon
11 determination that such action is necessary to address
12 needs of the Veterans Health Administration, may trans-
13 fer to the “Medical Services” account any discretionary
14 appropriations made available for fiscal year 2022 in this
15 title (except appropriations made to the “General Oper-
16 ating Expenses, Veterans Benefits Administration” ac-
17 count) or any discretionary unobligated balances within
18 the Department of Veterans Affairs, including those ap-
19 propriated for fiscal year 2022, that were provided in ad-
20 vance by appropriations Acts: *Provided*, That transfers
21 shall be made only with the approval of the Office of Man-
22 agement and Budget: *Provided further*, That the transfer
23 authority provided in this section is in addition to any
24 other transfer authority provided by law: *Provided further*,
25 That no amounts may be transferred from amounts that

1 were designated by Congress as an emergency requirement
2 pursuant to a concurrent resolution on the budget or the
3 Balanced Budget and Emergency Deficit Control Act of
4 1985: *Provided further*, That such authority to transfer
5 may not be used unless for higher priority items, based
6 on emergent healthcare requirements, than those for
7 which originally appropriated and in no case where the
8 item for which funds are requested has been denied by
9 Congress: *Provided further*, That, upon determination that
10 all or part of the funds transferred from an appropriation
11 are not necessary, such amounts may be transferred back
12 to that appropriation and shall be available for the same
13 purposes as originally appropriated: *Provided further*,
14 That before a transfer may take place, the Secretary of
15 Veterans Affairs shall request from the Committees on
16 Appropriations of both Houses of Congress the authority
17 to make the transfer and receive approval of that request.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 229. Amounts made available for the Depart-
20 ment of Veterans Affairs for fiscal year 2022, under the
21 “Board of Veterans Appeals” and the “General Operating
22 Expenses, Veterans Benefits Administration” accounts
23 may be transferred between such accounts: *Provided*, That
24 before a transfer may take place, the Secretary of Vet-
25 erans Affairs shall request from the Committees on Appro-

1 priations of both Houses of Congress the authority to
2 make the transfer and receive approval of that request.

3 SEC. 230. The Secretary of Veterans Affairs may not
4 reprogram funds among major construction projects or
5 programs if such instance of reprogramming will exceed
6 \$7,000,000, unless such reprogramming is approved by
7 the Committees on Appropriations of both Houses of Con-
8 gress.

9 SEC. 231. (a) The Secretary of Veterans Affairs shall
10 ensure that the toll-free suicide hotline under section
11 1720F(h) of title 38, United States Code—

12 (1) provides to individuals who contact the hot-
13 line immediate assistance from a trained profes-
14 sional; and

15 (2) adheres to all requirements of the American
16 Association of Suicidology.

17 (b)(1) None of the funds made available by this Act
18 may be used to enforce or otherwise carry out any Execu-
19 tive action that prohibits the Secretary of Veterans Affairs
20 from appointing an individual to occupy a vacant civil
21 service position, or establishing a new civil service position,
22 at the Department of Veterans Affairs with respect to
23 such a position relating to the hotline specified in sub-
24 section (a).

25 (2) In this subsection—

1 (A) the term “civil service” has the meaning
2 given such term in section 2101(1) of title 5, United
3 States Code; and

4 (B) the term “Executive action” includes—

5 (i) any Executive order, Presidential
6 memorandum, or other action by the President;
7 and

8 (ii) any agency policy, order, or other di-
9 rective.

10 (c)(1) The Secretary of Veterans Affairs shall con-
11 duct a study on the effectiveness of the hotline specified
12 in subsection (a) during the 5-year period beginning on
13 January 1, 2016, based on an analysis of national suicide
14 data and data collected from such hotline.

15 (2) At a minimum, the study required by paragraph
16 (1) shall—

17 (A) determine the number of veterans who con-
18 tact the hotline specified in subsection (a) and who
19 receive follow up services from the hotline or mental
20 health services from the Department of Veterans Af-
21 fairs thereafter;

22 (B) determine the number of veterans who con-
23 tact the hotline who are not referred to, or do not
24 continue receiving, mental health care who commit
25 suicide; and

1 (C) determine the number of veterans described
2 in subparagraph (A) who commit or attempt suicide.

3 SEC. 232. Effective during the period beginning on
4 October 1, 2018, and ending on January 1, 2024, none
5 of the funds made available to the Secretary of Veterans
6 Affairs by this or any other Act may be obligated or ex-
7 pended in contravention of the “Veterans Health Adminis-
8 tration Clinical Preventive Services Guidance Statement
9 on the Veterans Health Administration’s Screening for
10 Breast Cancer Guidance” published on May 10, 2017, as
11 issued by the Veterans Health Administration National
12 Center for Health Promotion and Disease Prevention.

13 SEC. 233. (a) Chapter 17 of title 38, United States
14 Code, is amended by inserting after section 1720J the fol-
15 lowing new section:

16 **“§ 1720K. Provision of assisted reproductive tech-**
17 **nology or adoption reimbursements for**
18 **certain disabled veterans**

19 “(a) PROVISION OF SERVICES.—Subject to the avail-
20 ability of appropriations, the Secretary may provide—

21 “(1) fertility counseling and treatment using as-
22 sisted reproductive technology to a covered veteran
23 or the spouse of a covered veteran; or

24 “(2) adoption reimbursement to a covered vet-
25 eran.

1 “(b) LIMITATIONS.—Amounts made available for the
2 purposes specified in subsection (a) are subject to the re-
3 quirements for funds contained in section 508 of division
4 H of the Consolidated Appropriations Act, 2017 (Public
5 Law 115–31).

6 “(c) DEFINITIONS.—In this section:

7 “(1) The term ‘adoption reimbursement’ means
8 reimbursement for the adoption-related expenses for
9 an adoption that is finalized after the date of the en-
10 actment of this section under the same terms as
11 apply under the adoption reimbursement program of
12 the Department of Defense, as authorized in De-
13 partment of Defense Instruction 1341.09, including
14 the reimbursement limits and requirements set forth
15 in such instruction, as in effect on the date of the
16 enactment of this section.

17 “(2) The term ‘assisted reproductive tech-
18 nology’ means benefits relating to reproductive as-
19 sistance provided to a member of the Armed Forces
20 who incurs a serious injury or illness on active duty
21 pursuant to section 1074(c)(4)(A) of title 10, as de-
22 scribed in the memorandum on the subject of ‘Policy
23 for Assisted Reproductive Services for the Benefit of
24 Seriously or Severely Ill/Injured (Category II or III)
25 Active Duty Service Members’ issued by the Assist-

1 ant Secretary of Defense for Health Affairs on April
2 3, 2012, and the guidance issued to implement such
3 policy, as in effect on the date of the enactment of
4 this section, including any limitations on the amount
5 of such benefits available to such a member, except
6 that—

7 “(A) the periods regarding embryo
8 cryopreservation and storage set forth in part
9 III(G) and in part IV(H) of the first part IV
10 of such memorandum shall not apply; and

11 “(B) such term includes embryo
12 cryopreservation and storage without limitation
13 on the duration of such cryopreservation and
14 storage.

15 “(3) The term ‘covered veteran’ means a vet-
16 eran who has a service-connected disability that re-
17 sults in the inability of the veteran to procreate
18 without the use of fertility treatment.”.

19 (b) The table of sections at the beginning of such
20 chapter is amended by inserting after the item relating
21 to section 1720J the following new item:

“1720K. Provision of assisted reproductive technology or adoption reimburse-
ments for certain disabled veterans.”.

22 SEC. 234. None of the funds appropriated or other-
23 wise made available by this Act or any other Act for the
24 Department of Veterans Affairs may be used in a manner

1 that is inconsistent with: (1) section 842 of the Transpor-
2 tation, Treasury, Housing and Urban Development, the
3 Judiciary, the District of Columbia, and Independent
4 Agencies Appropriations Act, 2006 (Public Law 109–115;
5 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
6 United States Code.

7 SEC. 235. Section 842 of Public Law 109–115 shall
8 not apply to conversion of an activity or function of the
9 Veterans Health Administration, Veterans Benefits Ad-
10 ministration, or National Cemetery Administration to con-
11 tractor performance by a business concern that is at least
12 51 percent owned by one or more Indian tribes as defined
13 in section 5304(e) of title 25, United States Code, or one
14 or more Native Hawaiian Organizations as defined in sec-
15 tion 637(a)(15) of title 15, United States Code.

16 SEC. 236. (a) Except as provided in subsection (b),
17 the Secretary of Veterans Affairs, in consultation with the
18 Secretary of Defense and the Secretary of Labor, shall dis-
19 continue using Social Security account numbers to identify
20 individuals in all information systems of the Department
21 of Veterans Affairs as follows:

22 (1) For all veterans submitting to the Secretary
23 of Veterans Affairs new claims for benefits under
24 laws administered by the Secretary, not later than
25 March 23, 2023.

1 (2) For all individuals not described in para-
2 graph (1), not later than March 23, 2026.

3 (b) The Secretary of Veterans Affairs may use a So-
4 cial Security account number to identify an individual in
5 an information system of the Department of Veterans Af-
6 fairs if and only if the use of such number is required
7 to obtain information the Secretary requires from an in-
8 formation system that is not under the jurisdiction of the
9 Secretary.

10 (c) The matter in subsections (a) and (b) shall super-
11 sede section 238 of Public Law 116–94.

12 SEC. 237. For funds provided to the Department of
13 Veterans Affairs for each of fiscal year 2022 and 2023
14 for “Medical Services”, section 239 of division A of Public
15 Law 114–223 shall apply.

16 SEC. 238. None of the funds appropriated in this or
17 prior appropriations Acts or otherwise made available to
18 the Department of Veterans Affairs may be used to trans-
19 fer any amounts from the Filipino Veterans Equity Com-
20 pensation Fund to any other account within the Depart-
21 ment of Veterans Affairs.

22 SEC. 239. Of the funds provided to the Department
23 of Veterans Affairs for each of fiscal year 2022 and fiscal
24 year 2023 for “Medical Services”, funds may be used in
25 each year to carry out and expand the child care program

1 authorized by section 205 of Public Law 111–163, not-
2 withstanding subsection (e) of such section.

3 SEC. 240. None of the funds appropriated or other-
4 wise made available in this title may be used by the Sec-
5 retary of Veterans Affairs to enter into an agreement re-
6 lated to resolving a dispute or claim with an individual
7 that would restrict in any way the individual from speak-
8 ing to members of Congress or their staff on any topic
9 not otherwise prohibited from disclosure by Federal law
10 or required by Executive order to be kept secret in the
11 interest of national defense or the conduct of foreign af-
12 fairs.

13 SEC. 241. For funds provided to the Department of
14 Veterans Affairs for each of fiscal year 2022 and 2023,
15 section 258 of division A of Public Law 114–223 shall
16 apply.

17 SEC. 242. (a) None of the funds appropriated or oth-
18 erwise made available by this Act may be used to deny
19 an Inspector General funded under this Act timely access
20 to any records, documents, or other materials available to
21 the department or agency of the United States Govern-
22 ment over which such Inspector General has responsibil-
23 ities under the Inspector General Act of 1978 (5 U.S.C.
24 App.), or to prevent or impede the access of such Inspector
25 General to such records, documents, or other materials,

1 under any provision of law, except a provision of law that
2 expressly refers to such Inspector General and expressly
3 limits the right of access of such Inspector General.

4 (b) A department or agency covered by this section
5 shall provide its Inspector General access to all records,
6 documents, and other materials in a timely manner.

7 (c) Each Inspector General covered by this section
8 shall ensure compliance with statutory limitations on dis-
9 closure relevant to the information provided by the depart-
10 ment or agency over which that Inspector General has re-
11 sponsibilities under the Inspector General Act of 1978 (5
12 U.S.C. App.).

13 (d) Each Inspector General covered by this section
14 shall report to the Committee on Appropriations of the
15 Senate and the Committee on Appropriations of the House
16 of Representatives within 5 calendar days of any failure
17 by any department or agency covered by this section to
18 comply with this section.

19 SEC. 243. None of the funds made available in this
20 Act may be used in a manner that would increase wait
21 times for veterans who seek care at medical facilities of
22 the Department of Veterans Affairs.

23 SEC. 244. None of the funds appropriated or other-
24 wise made available by this Act to the Veterans Health
25 Administration may be used in fiscal year 2022 to convert

1 any program which received specific purpose funds in fis-
2 cal year 2021 to a general purpose funded program unless
3 the Secretary of Veterans Affairs submits written notifica-
4 tion of any such proposal to the Committees on Appropria-
5 tions of both Houses of Congress at least 30 days prior
6 to any such action and an approval is issued by the Com-
7 mittees.

8 SEC. 245. (a) Except as provided by subsection (b),
9 none of the funds made available by this Act may be used
10 by the Secretary of Veterans Affairs to purchase, breed,
11 transport, house, feed, maintain, dispose of, or experiment
12 on, dogs or cats as part of the conduct of any study includ-
13 ing an assignment of pain category D or E, as defined
14 by the Pain and Distress Categories of the Department
15 of Agriculture (or such successor categories developed pur-
16 suant to section 13 of the Animal Welfare Act (7 U.S.C.
17 2143)).

18 (b) Subsection (a) shall not apply to training pro-
19 grams or studies of service dogs described in section 1714
20 of title 38, United States Code, or section 17.148 of title
21 38, Code of Federal Regulations.

22 SEC. 246. Amounts made available for the “Veterans
23 Health Administration, Medical Community Care” ac-
24 count in this or any other Act for fiscal years 2022 and
25 2023 may be used for expenses that would otherwise be

1 payable from the Veterans Choice Fund established by
2 section 802 of the Veterans Access, Choice, and Account-
3 ability Act, as amended (38 U.S.C. 1701 note).

4 SEC. 247. Obligations and expenditures applicable to
5 the “Medical Services” account in fiscal years 2017
6 through 2019 for aid to state homes (as authorized by
7 section 1741 of title 38, United States Code) shall remain
8 in the “Medical Community Care” account for such fiscal
9 years.

10 SEC. 248. Of the amounts made available for the De-
11 partment of Veterans Affairs for fiscal year 2022, in this
12 or any other Act, under the “Veterans Health Administra-
13 tion—Medical Services”, “Veterans Health Administra-
14 tion—Medical Community Care”, “Veterans Health Ad-
15 ministration—Medical Support and Compliance”, and
16 “Veterans Health Administration—Medical Facilities” ac-
17 counts, \$778,500,000 shall be made available for gender-
18 specific care for women.

19 SEC. 249. By no later than October 1, 2021, the Sec-
20 retary shall commence site preparation for the Commu-
21 nity-Based Outpatient Clinic in Bakersfield, California in
22 accordance with Lease No. 36C10F20L0008.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$15,000 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$88,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$41,700,000: *Provided*, That
8 \$3,385,104 shall be available for the purpose of providing
9 financial assistance as described and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$2,000 for official reception and representation expenses,
21 \$87,000,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2024. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 CONSTRUCTION

4 For necessary expenses for planning and design and
5 construction at Arlington National Cemetery and Soldiers’
6 and Airmen’s Home National Cemetery, \$141,000,000, to
7 remain available until expended, for planning and design
8 and construction associated with the Southern Expansion
9 project at Arlington National Cemetery.

10 ARMED FORCES RETIREMENT HOME

11 TRUST FUND

12 For expenses necessary for the Armed Forces Retire-
13 ment Home to operate and maintain the Armed Forces
14 Retirement Home—Washington, District of Columbia,
15 and the Armed Forces Retirement Home—Gulfport, Mis-
16 sissippi, to be paid from funds available in the Armed
17 Forces Retirement Home Trust Fund, \$77,000,000, to re-
18 main available until September 30, 2023, of which
19 \$9,000,000 shall remain available until expended for con-
20 struction and renovation of the physical plants at the
21 Armed Forces Retirement Home—Washington, District of
22 Columbia, and the Armed Forces Retirement Home—
23 Gulfport, Mississippi: *Provided*, That of the amounts made
24 available under this heading from funds available in the
25 Armed Forces Retirement Home Trust Fund,

1 \$25,000,000 shall be paid from the general fund of the
2 Treasury to the Trust Fund.

3 ADMINISTRATIVE PROVISION

4 SEC. 301. Amounts deposited into the special account
5 established under 10 U.S.C. 7727 are appropriated and
6 shall be available until expended to support activities at
7 the Army National Military Cemeteries.

8 TITLE IV

9 GENERAL PROVISIONS

10 SEC. 401. No part of any appropriation contained in
11 this Act shall remain available for obligation beyond the
12 current fiscal year unless expressly so provided herein.

13 SEC. 402. None of the funds made available in this
14 Act may be used for any program, project, or activity,
15 when it is made known to the Federal entity or official
16 to which the funds are made available that the program,
17 project, or activity is not in compliance with any Federal
18 law relating to risk assessment, the protection of private
19 property rights, or unfunded mandates.

20 SEC. 403. All departments and agencies funded under
21 this Act are encouraged, within the limits of the existing
22 statutory authorities and funding, to expand their use of
23 “E–Commerce” technologies and procedures in the con-
24 duct of their business practices and public service activi-
25 ties.

1 SEC. 404. Unless stated otherwise, all reports and no-
2 fications required by this Act shall be submitted to the
3 Subcommittee on Military Construction and Veterans Af-
4 fairs, and Related Agencies of the Committee on Appro-
5 priations of the House of Representatives and the Sub-
6 committee on Military Construction and Veterans Affairs,
7 and Related Agencies of the Committee on Appropriations
8 of the Senate.

9 SEC. 405. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this or any other appropriations Act.

14 SEC. 406. None of the funds made available in this
15 Act may be used for a project or program named for an
16 individual serving as a Member, Delegate, or Resident
17 Commissioner of the United States House of Representa-
18 tives.

19 SEC. 407. (a) Any agency receiving funds made avail-
20 able in this Act, shall, subject to subsections (b) and (c),
21 post on the public website of that agency any report re-
22 quired to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agen-
24 cy that it shall serve the national interest.

25 (b) Subsection (a) shall not apply to a report if—

1 (1) the public posting of the report com-
2 promises national security; or

3 (2) the report contains confidential or propri-
4 etary information.

5 (c) The head of the agency posting such report shall
6 do so only after such report has been made available to
7 the requesting Committee or Committees of Congress for
8 no less than 45 days.

9 SEC. 408. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network blocks the viewing,
12 downloading, and exchanging of pornography.

13 (b) Nothing in subsection (a) shall limit the use of
14 funds necessary for any Federal, State, tribal, or local law
15 enforcement agency or any other entity carrying out crimi-
16 nal investigations, prosecution, or adjudication activities.

17 SEC. 409. None of the funds made available in this
18 Act may be used by an agency of the executive branch
19 to pay for first-class travel by an employee of the agency
20 in contravention of sections 301–10.122 through 301–
21 10.124 of title 41, Code of Federal Regulations.

22 SEC. 410. None of the funds made available in this
23 Act may be used to execute a contract for goods or serv-
24 ices, including construction services, where the contractor
25 has not complied with Executive Order No. 12989.

1 SEC. 411. None of the funds made available by this
2 Act may be used in contravention of section 101(e)(8) of
3 title 10, United States Code.

4 This division may be cited as the “Military Construc-
5 tion, Veterans Affairs, and Related Agencies Appropria-
6 tions Act, 2022”.

1 **DIVISION G—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2022**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$143,030,000: *Provided*, That the Secretary of Transpor-
11 tation (referred to in this title as the “Secretary”) is au-
12 thorized to transfer funds appropriated for any office of
13 the Office of the Secretary to any other office of the Office
14 of the Secretary: *Provided further*, That no appropriation
15 for any office shall be increased or decreased by more than
16 7 percent by all such transfers: *Provided further*, That no-
17 tice of any change in funding greater than 7 percent shall
18 be submitted for approval to the House and Senate Com-
19 mittees on Appropriations: *Provided further*, That not to
20 exceed \$70,000 shall be for allocation within the Depart-
21 ment for official reception and representation expenses as
22 the Secretary may determine: *Provided further*, That not-
23 withstanding any other provision of law, there may be
24 credited to this appropriation up to \$2,500,000 in funds
25 received in user fees.

1 RESEARCH AND TECHNOLOGY

2 For necessary expenses related to the Office of the
3 Assistant Secretary for Research and Technology,
4 \$57,000,000: *Provided*, That of the amounts made avail-
5 able under this heading, \$50,000,000 shall remain avail-
6 able until expended, of which \$5,000,000 shall be for the
7 Highly Automated Systems Safety Center of Excellence
8 established by section 105 of title I of division H of the
9 Further Consolidated Appropriations Act, 2020 (Public
10 Law 116–94) and of which not more than \$10,000,000
11 shall be for a clearinghouse for new innovations in bridge
12 technology: *Provided further*, That there may be credited
13 to this appropriation, to be available until expended, funds
14 received from states, counties, municipalities, other public
15 authorities, and private sources for expenses incurred for
16 training: *Provided further*, That any reference in law, reg-
17 ulation, judicial proceedings, or elsewhere to the Research
18 and Innovative Technology Administration shall continue
19 to be deemed to be a reference to the Office of the Assist-
20 ant Secretary for Research and Technology of the Depart-
21 ment of Transportation.

22 NATIONAL INFRASTRUCTURE INVESTMENTS

23 (INCLUDING TRANSFER OF FUNDS)

24 For capital investments in surface transportation in-
25 frastructure, \$1,200,000,000 to remain available until ex-

1 pending: *Provided*, That the Secretary shall distribute
2 amounts made available under this heading as discre-
3 tionary grants to be awarded to a state, local or tribal
4 government, U.S. territory, transit agency, port authority,
5 metropolitan planning organization, political subdivision
6 of a state or local government, or a collaboration among
7 such entities on a competitive basis for projects that will
8 have a significant local or regional impact: *Provided fur-*
9 *ther*, That projects eligible for amounts made available
10 under this heading shall include, but not be limited to,
11 highway or bridge projects eligible under title 23, United
12 States Code; public transportation projects eligible under
13 chapter 53 of title 49, United States Code; passenger and
14 freight rail transportation projects; port infrastructure in-
15 vestments (including inland port infrastructure and land
16 ports of entry); and projects investing in surface transpor-
17 tation facilities that are located on tribal land and for
18 which title or maintenance responsibility is vested in the
19 Federal Government: *Provided further*, That of the
20 amount made available under this heading, the Secretary
21 shall use an amount not more than \$40,000,000 for the
22 planning, preparation, or design of projects eligible for
23 amounts made available under this heading, and shall
24 prioritize transit, transit oriented development, and
25 multimodal projects: *Provided further*, That of the

1 amounts made available in the previous proviso, not less
2 than \$20,000,000 shall be for projects eligible for amounts
3 made available under this heading located in or to directly
4 benefit areas of persistent poverty and not less than
5 \$10,000,000 shall be for projects in urbanized areas, as
6 designated by the Bureau of the Census, that had a popu-
7 lation not greater than 2,000,000 in the most recent de-
8 cennial census: *Provided further*, That grants awarded
9 under the previous two provisos shall not be subject to
10 a minimum grant size: *Provided further*, That the term
11 “areas of persistent poverty” means any county that has
12 consistently had greater than or equal to 20 percent of
13 the population living in poverty during the 30-year period
14 preceding the date of enactment of this Act, as measured
15 by the 1990 and 2000 decennial census and the most re-
16 cent annual Small Area Income and Poverty Estimates as
17 estimated by the Bureau of the Census; any census tract
18 with a poverty rate of at least 20 percent as measured
19 by the 2015–2019 5-year data series available from the
20 American Community Survey of the Bureau of the Census;
21 or any territory or possession of the United States: *Pro-*
22 *vided further*, That the Secretary may use up to 20 per-
23 cent of the amounts made available under this heading
24 for the purpose of paying the subsidy and administrative
25 costs of projects eligible for Federal credit assistance

1 under chapter 6 of title 23, United States Code, or sec-
2 tions 501 through 504 of the Railroad Revitalization and
3 Regulatory Reform Act of 1976 (Public Law 94–210), if
4 the Secretary finds that such use of the funds would ad-
5 vance the purposes of this heading: *Provided further*, That
6 in distributing amounts made available under this head-
7 ing, the Secretary shall take such measures so as to ensure
8 an equitable geographic distribution of funds, an appro-
9 priate balance in addressing the needs of urban and rural
10 areas, including tribal areas, and the investment in a vari-
11 ety of transportation modes: *Provided further*, That a
12 grant award under this heading shall be not less than
13 \$5,000,000 and not greater than \$100,000,000: *Provided*
14 *further*, That not more than 15 percent of the amounts
15 made available under this heading may be awarded to
16 projects in a single state: *Provided further*, That the Fed-
17 eral share of the costs for which an amount is provided
18 under this heading shall be, at the option of the recipient,
19 up to 80 percent: *Provided further*, That the Secretary
20 shall give priority to projects that require a contribution
21 of Federal funds in order to complete an overall financing
22 package: *Provided further*, That the Secretary shall give
23 priority to projects that promote connections amongst and
24 between transportation modes including improvements
25 over small distances that complete or expand transpor-

1 tation networks such as first and last mile solutions, facili-
2 tate improved health outcomes for communities, or de-
3 crease unequal access to mobility: *Provided further*, That
4 not less than 30 percent of the funds provided under this
5 heading shall be for projects located in rural areas: *Pro-*
6 *vided further*, That an award under this heading is a rural
7 award if it is not to a project located within or on the
8 boundary of an urbanized area, as designated by the Bu-
9 reau of the Census, that had a population greater than
10 200,000 in the most recent decennial census: *Provided fur-*
11 *ther*, That for the purpose of determining if an award for
12 planning, preparation or design is a rural award, the
13 project location is the location of the project being
14 planned, prepared or designed: *Provided further*, That for
15 rural awards, the minimum grant size shall be
16 \$1,000,000: *Provided further*, That for rural awards and
17 areas of persistent poverty awards the Secretary may in-
18 crease the Federal share of costs above 80 percent: *Pro-*
19 *vided further*, That projects conducted using amounts
20 made available under this heading shall comply with the
21 requirements of subchapter IV of chapter 31 of title 40,
22 United States Code: *Provided further*, That the Secretary
23 shall conduct a new competition to select the grants and
24 credit assistance awarded under this heading: *Provided*
25 *further*, That the Secretary may retain up to 2 percent

1 of the amounts made available under this heading, and
2 may transfer portions of such amounts to the Administra-
3 tors of the Federal Highway Administration, the Federal
4 Transit Administration, the Federal Railroad Administra-
5 tion and the Maritime Administration to fund the award
6 and oversight of grants and credit assistance made under
7 the National Infrastructure Investments program: *Pro-*
8 *vided further*, That the Secretary shall apply to projects
9 under this heading the Federal requirements that the Sec-
10 retary determines are appropriate based on the purpose
11 of the National Infrastructure Investments program, the
12 requirements expressly stated under this heading, and the
13 Federal requirements applicable to comparable projects
14 supported by other Department of Transportation finan-
15 cial assistance programs, including domestic preference re-
16 quirements, contracting opportunities for small and dis-
17 advantaged businesses, and labor protections: *Provided*
18 *further*, That the Secretary shall not use the Federal share
19 or an applicant's ability to generate non-Federal revenue
20 as a selection criteria in awarding projects: *Provided fur-*
21 *ther*, That the Secretary shall issue the Notice of Funding
22 Opportunity no later than 120 days after enactment of
23 this Act: *Provided further*, That such Notice of Funding
24 Opportunity shall require application submissions 90 days
25 after the publishing of such Notice: *Provided further*, That

1 of the applications submitted under the previous two pro-
2 visos, the Secretary shall make grants no later than 330
3 days after enactment of this Act in such amounts that
4 the Secretary determines.

5 THRIVING COMMUNITIES INITIATIVE
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for a thriving communities
8 program, \$100,000,000 to remain available until Sep-
9 tember 30, 2024: *Provided*, That the Secretary of Trans-
10 portation shall make such amounts available for competi-
11 tive grants or cooperative agreements to develop and im-
12 plement technical assistance, planning, and capacity build-
13 ing to improve equity and foster thriving communities
14 through transportation improvements: *Provided further*,
15 That the Secretary shall award grants to or enter into co-
16 operative agreements with state, local, or tribal govern-
17 ments, United States territories, metropolitan planning
18 organizations, or other political subdivisions of state or
19 local governments: *Provided further*, That to be eligible for
20 a grant or cooperative agreement under this heading, a
21 recipient shall engage in a public planning process with
22 residents, local businesses, nonprofit organizations, and to
23 the extent practicable, philanthropic organizations, edu-
24 cational institutions, or other community stakeholders:
25 *Provided further*, That such grants and cooperative agree-

1 ments shall be for developing transportation and commu-
2 nity revitalization projects that increase mobility, reduce
3 pollution from transportation sources, including green-
4 house gas emissions, expand affordable transportation op-
5 tions, and facilitate efficient land use: *Provided further*,
6 That such grants and cooperative agreements shall be for
7 transportation activities supported by the Department of
8 Transportation under titles 23, 46, and 49, United States
9 Code: *Provided further*, That the Secretary shall prioritize
10 projects that propose to preserve or expand jobs, improve
11 housing conditions, enhance connections to health care,
12 education, and food security and improve health outcomes:
13 *Provided further*, That the Secretary may give preference
14 to projects that remove or plan for the removal of infra-
15 structure barriers in communities that had unemployment
16 rates in 2020 at or above the national average, as defined
17 by the Bureau of the Census: *Provided further*, That the
18 Secretary shall prioritize awards that contribute to com-
19 munity resiliency, reduce greenhouse gas emissions, and
20 facilitate sustainable infrastructure in communities that
21 have disproportionate rates of pollution and poor air qual-
22 ity, overburdened communities (as defined by the Adminis-
23 trator of the Environmental Protection Agency), or com-
24 munities experiencing disproportionate effects (as defined
25 by Executive Order 12898, relating to environmental jus-

1 tice): *Provided further*, That funds made available under
2 this heading may be used for charging infrastructure
3 along corridor-ready or corridor-pending alternative fuel
4 corridors designated pursuant to section 151 of title 23,
5 United States Code: *Provided further*, That planning and
6 technical assistance made available under this heading
7 shall include early project work, feasibility studies, and
8 other pre-design work for capital projects eligible under
9 titles 23, 46, and 49, United States Code: *Provided fur-*
10 *ther*, That not more than 10 percent of the amounts made
11 available under this heading may be awarded to grantees
12 in a single state: *Provided further*, That the Secretary may
13 retain up to 2 percent of the amounts made available
14 under this heading for necessary administrative expenses
15 of carrying out the provisions of this heading: *Provided*
16 *further*, That the Secretary shall consult with the Secre-
17 taries of Housing and Urban Development, Education,
18 Labor, Health and Human Services, the Chief of Engi-
19 neers of the Army Corps of Engineers, and the Adminis-
20 trator of the Environmental Protection Agency to coordi-
21 nate and leverage other appropriate Federal resources
22 prior to awarding grants or entering into cooperative
23 agreements using amounts made available under this
24 heading: *Provided further*, That such amounts and pay-
25 ments as may be necessary to carry out the thriving com-

1 munities program may be transferred and credited to ap-
2 propriate accounts of other operating administrations
3 within the Department of Transportation: *Provided fur-*
4 *ther*, That projects funded under this heading shall be for
5 not less than 90 percent of the net total project cost.

6 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
7 FINANCE BUREAU

8 For necessary expenses of the National Surface
9 Transportation and Innovative Finance Bureau as author-
10 ized by 49 U.S.C. 116, \$13,800,000, to remain available
11 until expended: *Provided*, That of the amounts made avail-
12 able under this heading, \$10,000,000 shall be for technical
13 assistance grants to areas of persistent poverty: *Provided*
14 *further*, That areas of persistent poverty means any county
15 that has consistently had 20 percent or more of the popu-
16 lation living in poverty over the 30 years preceding the
17 date of enactment of this Act, as measured by the 1990
18 and 2000 decennial census and the most recent Small
19 Area Income and Poverty Estimates, any census tract
20 with a poverty rate of at least 20 percent as measured
21 by the 2014–2019 5-year data series available from the
22 American Community Survey of the Bureau of the Census,
23 or any territory or possession of the United States: *Pro-*
24 *vided further*, That such technical assistance grants shall
25 be in the form of competitive grants to eligible entities

1 to support pre-construction activities including, but not
2 limited to, planning, engineering, design, environmental
3 work, feasibility studies, and financing plans for eligible
4 projects: *Provided further*, That eligible entities for tech-
5 nical assistance grants under this heading shall include
6 state, local or tribal governments, transit agencies, port
7 authorities or commissions, metropolitan planning organi-
8 zations, other political subdivisions of state or local gov-
9 ernments, or collaborations among such entities, that are
10 located in areas of persistent poverty: *Provided further*,
11 That eligible projects for technical assistance grants under
12 this heading shall include, but not be limited to, highway,
13 bridge, or bicycle and pedestrian projects eligible under
14 title 23, United States Code; public transportation
15 projects eligible under chapter 53 of title 49, United
16 States Code; passenger and freight rail transportation
17 projects; port infrastructure improvement projects; airport
18 improvement projects; and intermodal projects: *Provided*
19 *further*, That the Secretary of Transportation shall con-
20 duct outreach to eligible entities for technical assistance
21 grants through personal contact, webinars, web materials,
22 or other appropriate methods determined by the Sec-
23 retary: *Provided further*, That the Federal share of the
24 costs for which an amount is provided under this heading
25 for technical assistance grants shall be, at the option of

1 the recipient, not less than 90 percent of the net total
2 project cost: *Provided further*, That for technical assist-
3 ance grants under this heading priority consideration shall
4 be, without regard to rural or urban areas of persistent
5 poverty, based on project justification and demonstrated
6 need: *Provided further*, That the Secretary may collect and
7 spend fees, as authorized by title 23, United States Code,
8 to cover the costs of services of expert firms, including
9 counsel, in the field of municipal and project finance to
10 assist in the underwriting and servicing of Federal credit
11 instruments and all or a portion of the costs to the Federal
12 Government of servicing such credit instruments: *Provided*
13 *further*, That such fees are available until expended to pay
14 for such costs: *Provided further*, That such amounts are
15 in addition to other amounts made available for such pur-
16 poses and are not subject to any obligation limitation or
17 the limitation on administrative expenses under section
18 608 of title 23, United States Code.

19 RAILROAD REHABILITATION AND IMPROVEMENT
20 FINANCING PROGRAM

21 The Secretary is authorized to issue direct loans and
22 loan guarantees pursuant to sections 501 through 504 of
23 the Railroad Revitalization and Regulatory Reform Act of
24 1976 (Public Law 94–210) and such authority shall exist

1 so long as any such direct loan or loan guarantee is out-
2 standing.

3 FINANCIAL MANAGEMENT CAPITAL

4 For necessary expenses for upgrading and enhancing
5 the Department of Transportation's financial systems and
6 re-engineering business processes, \$5,000,000, to remain
7 available through September 30, 2023.

8 CYBER SECURITY INITIATIVES

9 For necessary expenses for cyber security initiatives,
10 including necessary upgrades to network and information
11 technology infrastructure, improvement of identity man-
12 agement and authentication capabilities, securing and pro-
13 tecting data, implementation of Federal cyber security ini-
14 tiatives, and implementation of enhanced security controls
15 on agency computers and mobile devices, \$39,400,000, to
16 remain available until September 30, 2023.

17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,
19 \$12,628,000.

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses for conducting transportation
24 planning, research, systems development, development ac-
25 tivities, and making grants, \$11,297,000, to remain avail-

1 able until expended: *Provided*, That of such amount,
2 \$1,000,000 shall be for necessary expenses of the Inter-
3 agency Infrastructure Permitting Improvement Center
4 (IIPIC): *Provided further*, That there may be transferred
5 to this appropriation, to remain available until expended,
6 amounts transferred from other Federal agencies for ex-
7 penses incurred under this heading for IIPIC activities not
8 related to transportation infrastructure: *Provided further*,
9 That the tools and analysis developed by the IIPIC shall
10 be available to other Federal agencies for the permitting
11 and review of major infrastructure projects not related to
12 transportation only to the extent that other Federal agen-
13 cies provide funding to the Department in accordance with
14 the preceding proviso.

15 WORKING CAPITAL FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for operating costs and cap-
18 ital outlays of the Working Capital Fund, not to exceed
19 \$419,173,000, shall be paid from appropriations made
20 available to the Department of Transportation: *Provided*,
21 That such services shall be provided on a competitive basis
22 to entities within the Department of Transportation: *Pro-*
23 *vided further*, That the limitation in the preceding proviso
24 on operating expenses shall not apply to entities external
25 to the Department of Transportation: *Provided further*,

1 That no funds made available by this Act to an agency
2 of the Department shall be transferred to the Working
3 Capital Fund without majority approval of the Working
4 Capital Fund Steering Committee and approval of the
5 Secretary: *Provided further*, That no assessments may be
6 levied against any program, budget activity, subactivity,
7 or project funded by this Act unless notice of such assess-
8 ments and the basis therefor are presented to the House
9 and Senate Committees on Appropriations and are ap-
10 proved by such Committees.

11 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
12 OUTREACH

13 For necessary expenses for small and disadvantaged
14 business utilization and outreach activities, \$6,500,000, to
15 remain available until September 30, 2023: *Provided*,
16 That notwithstanding section 332 of title 49, United
17 States Code, such amounts may be used for business op-
18 portunities related to any mode of transportation: *Pro-*
19 *vided further*, That appropriations made available under
20 this heading shall be available for any purpose consistent
21 with prior year appropriations that were made available
22 under the heading “Office of the Secretary—Minority
23 Business Resource Center Program”.

1 PAYMENTS TO AIR CARRIERS

2 (AIRPORT AND AIRWAY TRUST FUND)

3 In addition to funds made available from any other
4 source to carry out the essential air service program under
5 sections 41731 through 41742 of title 49, United States
6 Code, \$247,700,000, to be derived from the Airport and
7 Airway Trust Fund, to remain available until expended:
8 *Provided*, That in determining between or among carriers
9 competing to provide service to a community, the Sec-
10 retary may consider the relative subsidy requirements of
11 the carriers: *Provided further*, That basic essential air
12 service minimum requirements shall not include the 15-
13 passenger capacity requirement under section 41732(b)(3)
14 of title 49, United States Code: *Provided further*, That
15 amounts authorized to be distributed for the essential air
16 service program under section 41742(b) of title 49, United
17 States Code, shall be made available immediately from
18 amounts otherwise provided to the Administrator of the
19 Federal Aviation Administration: *Provided further*, That
20 the Administrator may reimburse such amounts from fees
21 credited to the account established under section 45303
22 of title 49, United States Code.

1 ELECTRIC VEHICLE FLEET

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to transition to the General
4 Services Administration's leased vehicle fleet, for the pur-
5 chase of electric passenger motor vehicles, and to provide
6 necessary charging infrastructure, \$11,000,000, to remain
7 available until expended: *Provided*, That such amounts are
8 in addition to any other amounts available for such pur-
9 poses: *Provided further*, That amounts made available
10 under this heading may be transferred to other accounts
11 of the Department of Transportation for the purposes
12 specified under this heading: *Provided further*, That such
13 transfer authority is in addition to any other transfer au-
14 thority provided by law.

15 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

16 SECRETARY OF TRANSPORTATION

17 SEC. 101. None of the funds made available by this
18 Act to the Department of Transportation may be obligated
19 for the Office of the Secretary of Transportation to ap-
20 prove assessments or reimbursable agreements pertaining
21 to funds appropriated to the operating administrations in
22 this Act, except for activities underway on the date of en-
23 actment of this Act, unless such assessments or agree-
24 ments have completed the normal reprogramming process
25 for congressional notification.

1 SEC. 102. The Secretary shall post on the web site
2 of the Department of Transportation a schedule of all
3 meetings of the Council on Credit and Finance, including
4 the agenda for each meeting, and require the Council on
5 Credit and Finance to record the decisions and actions
6 of each meeting.

7 SEC. 103. In addition to authority provided by section
8 327 of title 49, United States Code, the Department's
9 Working Capital Fund is authorized to provide partial or
10 full payments in advance and accept subsequent reim-
11 bursements from all Federal agencies from available funds
12 for transit benefit distribution services that are necessary
13 to carry out the Federal transit pass transportation fringe
14 benefit program under Executive Order No. 13150 and
15 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
16 *Provided*, That the Department shall maintain a reason-
17 able operating reserve in the Working Capital Fund, to
18 be expended in advance to provide uninterrupted transit
19 benefits to Government employees: *Provided further*, That
20 such reserve shall not exceed 1 month of benefits payable
21 and may be used only for the purpose of providing for
22 the continuation of transit benefits: *Provided further*, That
23 the Working Capital Fund shall be fully reimbursed by
24 each customer agency from available funds for the actual
25 cost of the transit benefit.

1 SEC. 104. Receipts collected in the Department's
2 Working Capital Fund, as authorized by section 327 of
3 title 49, United States Code, for unused transit and van
4 pool benefits, in an amount not to exceed 10 percent of
5 fiscal year 2022 collections, shall be available until ex-
6 pended in the Department's Working Capital Fund to pro-
7 vide contractual services in support of section 189 of this
8 Act: *Provided*, That obligations in fiscal year 2022 of such
9 collections shall not exceed \$1,000,000.

10 SEC. 105. (a) Funds made available in division L of
11 the Consolidated Appropriations Act, 2014 (Public Law
12 113–76) under the heading “Department of Transpor-
13 tation—Office of the Secretary—National Infrastructure
14 Investments” for pedestrian safety and transit projects
15 that were available for obligation through fiscal year 2016
16 shall remain available through fiscal year 2028 for the liq-
17 uidation of valid obligations incurred during fiscal years
18 2014 through 2016 of active grants awarded with such
19 funds.

20 (b)(1) Subject to paragraph (2), this section shall be-
21 come effective immediately upon enactment of this Act.

22 (2) If this Act is enacted after September 30,
23 2021, this section shall be applied as if it were in
24 effect on September 30, 2021.

1 SEC. 106. None of the funds in this title may be obli-
2 gated or expended for retention or senior executive bo-
3 nuses for an employee of the Department of Transpor-
4 tation without the prior written approval of the Assistant
5 Secretary for Administration.

6 SEC. 107. In addition to authority provided by section
7 327 of title 49, United States Code, the Department's Ad-
8 ministrative Working Capital Fund is hereby authorized
9 to transfer information technology equipment, software,
10 and systems from Departmental sources or other entities
11 and collect and maintain a reserve at rates which will re-
12 turn full cost of transferred assets.

13 SEC. 108. None of the funds provided in this Act to
14 the Department of Transportation may be used to provide
15 credit assistance unless not less than 3 days before any
16 application approval to provide credit assistance under
17 sections 603 and 604 of title 23, United States Code, the
18 Secretary provides notification in writing to the following
19 committees: the House and Senate Committees on Appro-
20 priations; the Committee on Environment and Public
21 Works and the Committee on Banking, Housing and
22 Urban Affairs of the Senate; and the Committee on Trans-
23 portation and Infrastructure of the House of Representa-
24 tives: *Provided*, That such notification shall include, but
25 not be limited to, the name of the project sponsor; a de-

1 scription of the project; whether credit assistance will be
2 provided as a direct loan, loan guarantee, or line of credit;
3 and the amount of credit assistance.

4 FEDERAL AVIATION ADMINISTRATION
5 OPERATIONS
6 (AIRPORT AND AIRWAY TRUST FUND)

7 For necessary expenses of the Federal Aviation Ad-
8 ministration, not otherwise provided for, including oper-
9 ations and research activities related to commercial space
10 transportation, administrative expenses for research and
11 development, establishment of air navigation facilities, the
12 operation (including leasing) and maintenance of aircraft,
13 subsidizing the cost of aeronautical charts and maps sold
14 to the public, the lease or purchase of passenger motor
15 vehicles for replacement only, \$11,434,100,000, to remain
16 available until September 30, 2023, of which
17 \$10,519,000,000 to be derived from the Airport and Air-
18 way Trust Fund: *Provided*, That of the amounts made
19 available under this heading—

20 (1) not less than \$1,536,298,000 shall be avail-
21 able for aviation safety activities;

22 (2) \$8,489,585,000 shall be available for air
23 traffic organization activities;

24 (3) \$32,470,000 shall be available for commer-
25 cial space transportation activities;

1 (4) \$892,216,000 shall be available for finance
2 and management activities;

3 (5) \$63,955,000 shall be available for NextGen
4 and operations planning activities;

5 (6) \$139,466,000 shall be available for security
6 and hazardous materials safety; and

7 (7) \$280,110,000 shall be available for staff of-
8 fices:

9 *Provided further*, That not to exceed 5 percent of any
10 budget activity, except for aviation safety budget activity,
11 may be transferred to any budget activity under this head-
12 ing: *Provided further*, That no transfer may increase or
13 decrease any appropriation under this heading by more
14 than 5 percent: *Provided further*, That any transfer in ex-
15 cess of 5 percent shall be treated as a reprogramming of
16 funds under section 405 of this Act and shall not be avail-
17 able for obligation or expenditure except in compliance
18 with the procedures set forth in that section: *Provided fur-*
19 *ther*, That not later than 60 days after the submission of
20 the budget request, the Administrator of the Federal Avia-
21 tion Administration shall transmit to Congress an annual
22 update to the report submitted to Congress in December
23 2004 pursuant to section 221 of the Vision 100-Century
24 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
25 *Provided further*, That the amounts made available under

1 this heading shall be reduced by \$100,000 for each day
2 after 60 days after the submission of the budget request
3 that such report has not been transmitted to Congress:
4 *Provided further*, That not later than 60 days after the
5 submission of the budget request, the Administrator shall
6 transmit to Congress a companion report that describes
7 a comprehensive strategy for staffing, hiring, and training
8 flight standards and aircraft certification staff in a format
9 similar to the one utilized for the controller staffing plan,
10 including stated attrition estimates and numerical hiring
11 goals by fiscal year: *Provided further*, That the amounts
12 made available under this heading shall be reduced by
13 \$100,000 for each day after the date that is 60 days after
14 the submission of the budget request that such report has
15 not been submitted to Congress: *Provided further*, That
16 funds may be used to enter into a grant agreement with
17 a nonprofit standard-setting organization to assist in the
18 development of aviation safety standards: *Provided fur-*
19 *ther*, That none of the funds made available by this Act
20 shall be available for new applicants for the second career
21 training program: *Provided further*, That none of the
22 funds made available by this Act shall be available for the
23 Federal Aviation Administration to finalize or implement
24 any regulation that would promulgate new aviation user
25 fees not specifically authorized by law after the date of

1 the enactment of this Act: *Provided further*, That there
2 may be credited to this appropriation, as offsetting collec-
3 tions, funds received from States, counties, municipalities,
4 foreign authorities, other public authorities, and private
5 sources for expenses incurred in the provision of agency
6 services, including receipts for the maintenance and oper-
7 ation of air navigation facilities, and for issuance, renewal
8 or modification of certificates, including airman, aircraft,
9 and repair station certificates, or for tests related thereto,
10 or for processing major repair or alteration forms: *Pro-*
11 *vided further*, That of the amounts made available under
12 this heading, not less than \$178,000,000 shall be used to
13 fund direct operations of the current air traffic control
14 towers in the contract tower program, including the con-
15 tract tower cost share program, and any airport that is
16 currently qualified or that will qualify for the program
17 during the fiscal year: *Provided further*, That none of the
18 funds made available by this Act for aeronautical charting
19 and cartography are available for activities conducted by,
20 or coordinated through, the Working Capital Fund: *Pro-*
21 *vided further*, That none of the funds appropriated or oth-
22 erwise made available by this Act or any other Act may
23 be used to eliminate the Contract Weather Observers pro-
24 gram at any airport.

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, technical support services,
5 improvement by contract or purchase, and hire of national
6 airspace systems and experimental facilities and equip-
7 ment, as authorized under part A of subtitle VII of title
8 49, United States Code, including initial acquisition of
9 necessary sites by lease or grant; engineering and service
10 testing, including construction of test facilities and acqui-
11 sition of necessary sites by lease or grant; construction
12 and furnishing of quarters and related accommodations
13 for officers and employees of the Federal Aviation Admin-
14 istration stationed at remote localities where such accom-
15 modations are not available; and the purchase, lease, or
16 transfer of aircraft from funds made available under this
17 heading, including aircraft for aviation regulation and cer-
18 tification; to be derived from the Airport and Airway Trust
19 Fund, \$3,416,000,000, of which \$550,000,000 is for per-
20 sonnel and related expenses and shall remain available
21 until September 30, 2023, \$1,865,569,000 is for equip-
22 ment and shall remain available until September 30, 2024,
23 and \$1,000,431,000 is for facilities and shall remain avail-
24 able until September 30, 2026: *Provided*, That there may
25 be credited to this appropriation funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources, for expenses incurred in the establish-
3 ment, improvement, and modernization of national air-
4 space systems: *Provided further*, That not later than 60
5 days after submission of the budget request, the Secretary
6 of Transportation shall transmit to the Congress an in-
7 vestment plan for the Federal Aviation Administration
8 which includes funding for each budget line item for fiscal
9 years 2023 through 2027, with total funding for each year
10 of the plan constrained to the funding targets for those
11 years as estimated and approved by the Office of Manage-
12 ment and Budget.

13 RESEARCH, ENGINEERING, AND DEVELOPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,
16 for research, engineering, and development, as authorized
17 under part A of subtitle VII of title 49, United States
18 Code, including construction of experimental facilities and
19 acquisition of necessary sites by lease or grant,
20 \$260,500,000, to be derived from the Airport and Airway
21 Trust Fund and to remain available until September 30,
22 2024: *Provided*, That there may be credited to this appro-
23 priation as offsetting collections, funds received from
24 States, counties, municipalities, other public authorities,
25 and private sources, which shall be available for expenses

1 incurred for research, engineering, and development: *Pro-*
2 *vided further*, That amounts made available under this
3 heading shall be used in accordance with the report accom-
4 panying this Act: *Provided further*, That not to exceed 10
5 percent of any funding level specified under this heading
6 in the report accompanying this Act may be transferred
7 to any other funding level specified under this heading in
8 the report accompanying this Act: *Provided further*, That
9 no transfer may increase or decrease any funding level by
10 more than 10 percent: *Provided further*, That any transfer
11 in excess of 10 percent shall be treated as a reprogram-
12 ming of funds under section 405 of this Act and shall not
13 be available for obligation or expenditure except in compli-
14 ance with the procedures set forth in that section.

15 GRANTS-IN-AID FOR AIRPORTS
16 (LIQUIDATION OF CONTRACT AUTHORIZATION)
17 (LIMITATION ON OBLIGATIONS)
18 (AIRPORT AND AIRWAY TRUST FUND)
19 (INCLUDING TRANSFER OF FUNDS)

20 For liquidation of obligations incurred for grants-in-
21 aid for airport planning and development, and noise com-
22 patibility planning and programs as authorized under sub-
23 chapter I of chapter 471 and subchapter I of chapter 475
24 of title 49, United States Code, and under other law au-
25 thorizing such obligations; for procurement, installation,

1 and commissioning of runway incursion prevention devices
2 and systems at airports of such title; for grants authorized
3 under section 41743 of title 49, United States Code; and
4 for inspection activities and administration of airport safe-
5 ty programs, including those related to airport operating
6 certificates under section 44706 of title 49, United States
7 Code, \$3,350,000,000, to be derived from the Airport and
8 Airway Trust Fund and to remain available until ex-
9 pended: *Provided*, That none of the amounts made avail-
10 able under this heading shall be available for the planning
11 or execution of programs the obligations for which are in
12 excess of \$3,350,000,000, in fiscal year 2022, notwith-
13 standing section 47117(g) of title 49, United States Code:
14 *Provided further*, That none of the amounts made available
15 under this heading shall be available for the replacement
16 of baggage conveyor systems, reconfiguration of terminal
17 baggage areas, or other airport improvements that are
18 necessary to install bulk explosive detection systems: *Pro-*
19 *vided further*, That notwithstanding section 47109(a) of
20 title 49, United States Code, the Government's share of
21 allowable project costs under paragraph (2) of such sec-
22 tion for subgrants or paragraph (3) of such section shall
23 be 95 percent for a project at other than a large or me-
24 dium hub airport that is a successive phase of a multi-
25 phased construction project for which the project sponsor

1 received a grant in fiscal year 2011 for the construction
2 project: *Provided further*, That notwithstanding any other
3 provision of law, of amounts limited under this heading,
4 not more than \$127,165,000 shall be available for admin-
5 istration, not less than \$15,000,000 shall be available for
6 the Airport Cooperative Research Program, not less than
7 \$40,961,000 shall be available for Airport Technology Re-
8 search, and \$10,000,000, to remain available until ex-
9 pended, shall be available and transferred to “Office of
10 the Secretary, Salaries and Expenses” to carry out the
11 Small Community Air Service Development Program: *Pro-*
12 *vided further*, That in addition to airports eligible under
13 section 41743 of title 49, United States Code, such pro-
14 gram may include the participation of an airport that
15 serves a community or consortium that is not larger than
16 a small hub airport, according to FAA hub classifications
17 effective at the time the Office of the Secretary issues a
18 request for proposals.

19 GRANTS-IN-AID FOR AIRPORTS

20 For an additional amount for “Grants-In-Aid for Air-
21 ports”, to enable the Secretary of Transportation to make
22 grants for projects as authorized by subchapter 1 of chap-
23 ter 471 and subchapter 1 of chapter 475 of title 49,
24 United States Code, \$400,000,000, to remain available
25 through September 30, 2024, of which \$79,959,135 is for

1 Community Project Funding grants for the purposes, and
2 in the amounts, specified for this account in the table ti-
3 tled “Incorporation of Community Project Funding” in-
4 cluded in the report accompanying this Act: *Provided*,
5 That amounts made available under this heading shall be
6 derived from the general fund, and such amounts shall not
7 be subject to apportionment formulas, special apportion-
8 ment categories, or minimum percentages under chapter
9 471 of such title: *Provided further*, That the Secretary
10 shall distribute amounts made available under this head-
11 ing as discretionary grants to airports: *Provided further*,
12 That the amount made available under this heading shall
13 not be subject to any limitation on obligations for the
14 Grants-in-Aid for Airports program set forth in any Act:
15 *Provided further*, That the Administrator of the Federal
16 Aviation Administration may retain up to 0.5 percent of
17 the amounts made available under this heading to fund
18 the award and oversight by the Administrator of grants
19 described under this heading.

20 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

21 ADMINISTRATION

22 SEC. 110. None of the funds made available by this
23 Act may be used to compensate in excess of 600 technical
24 staff-years under the federally funded research and devel-
25 opment center contract between the Federal Aviation Ad-

1 ministration and the Center for Advanced Aviation Sys-
2 tems Development during fiscal year 2022.

3 SEC. 111. None of the funds made available by this
4 Act shall be used to pursue or adopt guidelines or regula-
5 tions requiring airport sponsors to provide to the Federal
6 Aviation Administration without cost building construc-
7 tion, maintenance, utilities and expenses, or space in air-
8 port sponsor-owned buildings for services relating to air
9 traffic control, air navigation, or weather reporting: *Pro-*
10 *vided*, That the prohibition on the use of funds in this
11 section does not apply to negotiations between the agency
12 and airport sponsors to achieve agreement on “below-mar-
13 ket” rates for these items or to grant assurances that re-
14 quire airport sponsors to provide land without cost to the
15 Federal Aviation Administration for air traffic control fa-
16 cilities.

17 SEC. 112. The Administrator of the Federal Aviation
18 Administration may reimburse amounts made available to
19 satisfy section 41742(a)(1) of title 49, United States
20 Code, from fees credited under section 45303 of title 49,
21 United States Code, and any amount remaining in such
22 account at the close of any fiscal year may be made avail-
23 able to satisfy section 41742(a)(1) of title 49, United
24 States Code, for the subsequent fiscal year.

1 SEC. 113. Amounts collected under section 40113(e)
2 of title 49, United States Code, shall be credited to the
3 appropriation current at the time of collection, to be
4 merged with and available for the same purposes as such
5 appropriation.

6 SEC. 114. None of the funds made available by this
7 Act shall be available for paying premium pay under sub-
8 section 5546(a) of title 5, United States Code, to any Fed-
9 eral Aviation Administration employee unless such em-
10 ployee actually performed work during the time cor-
11 responding to such premium pay.

12 SEC. 115. None of the funds made available by this
13 Act may be obligated or expended for an employee of the
14 Federal Aviation Administration to purchase a store gift
15 card or gift certificate through use of a Government-issued
16 credit card.

17 SEC. 116. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number, Mode S transponder code, flight identi-
25 fication, call sign, or similar identifying information from

1 any ground based display to the public that would allow
2 the real-time or near real-time flight tracking of that air-
3 craft's movements, except data made available to a Gov-
4 ernment agency, for the noncommercial flights of that
5 owner or operator.

6 SEC. 117. None of the funds made available by this
7 Act shall be available for salaries and expenses of more
8 than nine political and Presidential appointees in the Fed-
9 eral Aviation Administration.

10 SEC. 118. None of the funds made available by this
11 Act may be used to increase fees pursuant to section
12 44721 of title 49, United States Code, until the Federal
13 Aviation Administration provides to the House and Senate
14 Committees on Appropriations a report that justifies all
15 fees related to aeronautical navigation products and ex-
16 plains how such fees are consistent with Executive Order
17 No. 13642.

18 SEC. 119. None of the funds made available by this
19 Act may be used to close a regional operations center of
20 the Federal Aviation Administration or reduce its services
21 unless the Administrator notifies the House and Senate
22 Committees on Appropriations not less than 90 full busi-
23 ness days in advance.

24 SEC. 119A. None of the funds made available by or
25 limited by this Act may be used to change weight restric-

1 tions or prior permission rules at Teterboro airport in
2 Teterboro, New Jersey.

3 SEC. 119B. None of the funds made available by this
4 Act may be used by the Administrator of the Federal Avia-
5 tion Administration to withhold from consideration and
6 approval any new application for participation in the Con-
7 tract Tower Program, or for reevaluation of Cost-share
8 Program participants so long as the Federal Aviation Ad-
9 ministration has received an application from the airport,
10 and so long as the Administrator determines such tower
11 is eligible using the factors set forth in Federal Aviation
12 Administration published establishment criteria.

13 SEC. 119C. None of the funds made available by this
14 Act may be used to open, close, redesignate as a lesser
15 office, or reorganize a regional office, the aeronautical cen-
16 ter, or the technical center unless the Administrator sub-
17 mits a request for the reprogramming of funds under sec-
18 tion 405 of this Act.

19 SEC. 119D. Of the funds provided under the heading
20 “Grants-in-aid for Airports”, up to \$4,000,000 shall be
21 for necessary expenses, including an independent
22 verification regime, to provide reimbursement to airport
23 sponsors that do not provide gateway operations, providers
24 of general aviation ground support services, or other avia-
25 tion tenants located at those airports closed during a tem-

1 porary flight restriction (TFR) for any residence of the
2 President that is designated or identified to be secured
3 by the United States Secret Service, and for direct and
4 incremental financial losses incurred while such airports
5 are closed solely due to the actions of the Federal Govern-
6 ment: *Provided*, That no funds shall be obligated or dis-
7 tributed to airport sponsors that do not provide gateway
8 operations and providers of general aviation ground sup-
9 port services until an independent audit is completed: *Pro-*
10 *vided further*, That losses incurred as a result of violations
11 of law, or through fault or negligence, of such operators
12 and service providers or of third parties (including air-
13 ports) are not eligible for reimbursements: *Provided fur-*
14 *ther*, That obligation and expenditure of funds are condi-
15 tional upon full release of the United States Government
16 for all claims for financial losses resulting from such ac-
17 tions.

18 FEDERAL HIGHWAY ADMINISTRATION

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 (HIGHWAY TRUST FUND)

21 (INCLUDING TRANSFER OF FUNDS)

22 Not to exceed \$492,000,000, together with advances
23 and reimbursements received by the Federal Highway Ad-
24 ministration, shall be obligated for necessary expenses for
25 administration and operation of the Federal Highway Ad-

1 ministration or transferred to the Appalachian Regional
2 Commission for administrative activities associated within
3 the Appalachian Development Highway System.

4 FEDERAL-AID HIGHWAYS

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 Funds available for the implementation or execution
8 of Federal-aid highway and highway safety construction
9 programs authorized under titles 23 and 49, United States
10 Code, and the provisions of the Fixing America's Surface
11 Transportation Act (Public Law 114-94), or any suc-
12 cessor surface transportation reauthorization Act author-
13 izing appropriations for fiscal year 2022, shall not exceed
14 total obligations of \$61,143,102,951 for fiscal year 2022.

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (HIGHWAY TRUST FUND)

17 For the payment of obligations incurred in carrying
18 out Federal-aid highway and highway safety construction
19 programs authorized under title 23, United States Code,
20 \$61,882,102,951 derived from the Highway Trust Fund
21 (other than the Mass Transit Account), to remain avail-
22 able until expended.

23 HIGHWAY INFRASTRUCTURE PROGRAMS

24 There is hereby appropriated to the Secretary
25 \$592,000,000: *Provided*, That the funds made available

1 under this heading shall be derived from the general fund,
2 shall be in addition to any funds provided for fiscal year
3 2022 in this or any other Act for: (1) “Federal-aid High-
4 ways” under chapter 1 of title 23, United States Code;
5 or (2) the Appalachian Development Highway System as
6 authorized under section 1069(y) of the Intermodal Sur-
7 face Transportation Efficiency Act of 1991 (Public Law
8 102–240), and shall not affect the distribution or amount
9 of funds provided in any other Act: *Provided further*, That
10 section 1101(b) of the FAST Act (Public Law 114–94)
11 shall apply to funds made available under this heading:
12 *Provided further*, That unless otherwise specified, amounts
13 made available under this heading shall be available until
14 September 30, 2025: *Provided further*, That of the funds
15 made available under this heading—

16 (1) Not more than \$427,500,000 shall be for
17 the purposes, and in the amounts, specified for local
18 transportation priorities in the table titled “Incorpo-
19 ration of Community Project Funding” included in
20 the report accompanying this Act;

21 (2) \$51,200,000 shall be for necessary expenses
22 for construction of the Appalachian Development
23 Highway System as authorized under section
24 1069(y) of the Intermodal Transportation Efficiency
25 Act of 1991 (Public Law 102–240);

1 (3) \$3,150,000 shall be for activities eligible
2 under the Puerto Rico Highway Program as de-
3 scribed in section 165(b)(2)(C) of title 23, United
4 States Code;

5 (4) \$650,000 shall be for activities eligible
6 under the Territorial Highway Program, as de-
7 scribed in section 165(c)(6) of title 23, United
8 States Code;

9 (5) \$45,000,000 shall be for the nationally sig-
10 nificant federal lands and tribal projects program
11 under section 1123 of the FAST Act (23 U.S.C. 201
12 note);

13 (6) \$20,000,000 shall be for activities eligible
14 under the tribal transportation program as described
15 in section 202 of title 23, United States Code;

16 (7) \$15,000,000 shall be for competitive grants
17 to State and Local governments to develop and ex-
18 pand the capacity to use and deploy Advanced Dig-
19 ital Construction Management Systems: *Provided,*
20 That the minimum grant amount shall be \$500,000;

21 (8) \$12,000,000 shall be for the regional infra-
22 structure accelerator demonstration program author-
23 ized under section 1441 of the FAST Act (23
24 U.S.C. 601 note);

1 (9) \$2,000,000 shall be for research that leads
2 to decreases in highway and pedestrian fatalities
3 among Tribal populations;

4 (10) \$7,500,000 shall be for a cooperative
5 agreement to conduct a comprehensive analysis of
6 highway corridors from ports of entry to inland
7 ports; and

8 (11) \$5,000,000 shall be for a cooperative se-
9 ries of agreements to examine the impacts of cul-
10 verts, roads, and bridges on threatened or endan-
11 gered salmon populations:

12 *Provided further*, That, except as otherwise provided under
13 this heading, funds made available under paragraph (1)
14 shall be administered as if apportioned under chapter 1
15 of title 23, United States Code: *Provided further*, That
16 funds made available under paragraph (1) that are used
17 for Tribal projects shall be administered as if allocated
18 under chapter 2 of title 23, United States Code, except
19 that the set-asides described in subparagraph (C) of sec-
20 tion 202(b)(3) of title 23, United States Code, and sub-
21 sections (a)(6), (c), (d), and (e) of section 202 of such
22 title shall not apply to such funds: *Provided further*, That
23 of the funds made available under this heading, the Fed-
24 eral Highway Administration may retain an amount of
25 \$3,000,000, to remain available until expended, to fund

1 the oversight of projects carried out with funds made
2 available under such paragraph: *Provided further*, That
3 funds made available under paragraphs (1), (2), (7), (8),
4 (9), (10), and (11) shall remain available until expended:
5 *Provided further*, That for funds made available under
6 paragraphs (2), (3), (4), (6), (7), (8), (9), (10), and (11),
7 the Federal share of the costs shall be, at the option of
8 the recipient, up to 100 percent: *Provided further*, That
9 except as provided in the preceding or following proviso,
10 the funds made available under this heading for activities
11 eligible under the Puerto Rico Highway Program and ac-
12 tivities eligible under the Territorial Highway Program
13 shall be administered as if allocated under sections 165(b)
14 and 165(c), respectively, of title 23, United States Code:
15 *Provided further*, That the funds made available under this
16 heading for activities eligible under the Puerto Rico High-
17 way Program shall not be subject to the requirements of
18 sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Pro-*
19 *vided further*, That the funds made available for the tribal
20 transportation program shall be distributed in the manner
21 described in section 202(b)(3)(A)(i)(IV) of such title, ex-
22 cept that the set-asides described in subparagraph (C) of
23 section 202(b)(3) of such title and subsections (a)(6), (c),
24 (d), and (e) of section 202 of such title shall not apply
25 to funds made available under this heading: *Provided fur-*

1 *ther*, That for the purposes of funds made available under
2 this heading for construction of the Appalachian Develop-
3 ment Highway System (hereinafter referred to as
4 “ADHS”), the term “Appalachian State” means a State
5 that contains one or more counties (including any political
6 subdivision located within the area) in the Appalachian re-
7 gion as defined in section 14102(a) of title 40, United
8 States Code: *Provided further*, That a project carried out
9 with funds made available under this heading for construc-
10 tion of the ADHS shall be carried out in the same manner
11 as a project under section 14501 of title 40, United States
12 Code: *Provided further*, That subject to the following pro-
13 viso, funds made available under this heading for con-
14 struction of the ADHS shall be apportioned to Appa-
15 lachian States according to the percentages derived from
16 the 2012 Appalachian Development Highway System
17 Cost-to-Complete Estimate adopted in Appalachian Re-
18 gional Commission Resolution Number 736, and con-
19 firmed as each Appalachian State’s relative share of the
20 estimated remaining need to complete the ADHS, ad-
21 justed to exclude corridors that such States have no cur-
22 rent plans to complete, as reported in the 2013 Appa-
23 lachian Development Highway System Completion Report,
24 unless such States have modified and assigned a higher
25 priority for completion of an ADHS corridor, as reported

1 in the 2020 ADHS Future Outlook: *Provided further*,
2 That the Secretary shall adjust apportionments made
3 under the preceding proviso so that no Appalachian State
4 shall be apportioned an amount in excess of 25 percent
5 of the amount made available for construction of the
6 ADHS under this heading: *Provided further*, That the Sec-
7 retary shall consult with the Appalachian Regional Com-
8 mission in making adjustments under the preceding two
9 provisos: *Provided further*, That funds made available
10 under this heading for Advanced Digital Construction
11 Management Systems shall be for competitive grants to
12 State and local governments to develop and expand the
13 capacity to use and deploy Advanced Digital Construction
14 Management Systems.

15 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

16 ADMINISTRATION

17 SEC. 120. (a) For fiscal year 2022, the Secretary of
18 Transportation shall—

19 (1) not distribute from the obligation limitation
20 for Federal-aid highways—

21 (A) amounts authorized for administrative
22 expenses and programs by section 104(a) of
23 title 23, United States Code;

24 (B) amounts authorized for the Bureau of
25 Transportation Statistics; and

1 (C) amounts authorized as “additional
2 amounts for the Federal-aid highway program”
3 or as “member designated project funds” (unre-
4 lated to amounts that had been previously au-
5 thorized to be appropriated for fiscal year
6 2021) under any successor surface transpor-
7 tation reauthorization Act authorizing appro-
8 priations for fiscal year 2022;

9 (2) not distribute an amount from the obliga-
10 tion limitation for Federal-aid highways that is equal
11 to the unobligated balance of amounts—

12 (A) made available from the Highway
13 Trust Fund (other than the Mass Transit Ac-
14 count) for Federal-aid highway and highway
15 safety construction programs for previous fiscal
16 years the funds for which are allocated by the
17 Secretary (or apportioned by the Secretary
18 under sections 202 or 204 of title 23, United
19 States Code); and

20 (B) for which obligation limitation was
21 provided in a previous fiscal year;

22 (3) determine the proportion that—

23 (A) the obligation limitation for Federal-
24 aid highways, less the aggregate of amounts not

1 distributed under paragraphs (1) and (2) of
2 this subsection; bears to

3 (B) the total of the sums authorized to be
4 appropriated for the Federal-aid highway and
5 highway safety construction programs (other
6 than sums authorized to be appropriated for
7 provisions of law described in paragraphs (1)
8 through (11) of subsection (b) and sums au-
9 thorized to be appropriated for section 119 of
10 title 23, United States Code, equal to the
11 amount referred to in subsection (b)(12) for
12 such fiscal year), less the aggregate of the
13 amounts not distributed under paragraphs (1)
14 and (2) of this subsection;

15 (4) distribute the obligation limitation for Fed-
16 eral-aid highways, less the aggregate amounts not
17 distributed under paragraphs (1) and (2), for each
18 of the programs (other than programs to which
19 paragraph (1) applies) that are allocated by the Sec-
20 retary under the Fixing America's Surface Trans-
21 portation Act and title 23, United States Code, or
22 apportioned by the Secretary under sections 202 or
23 204 of that title, by multiplying—

24 (A) the proportion determined under para-
25 graph (3); by

1 (B) the amounts authorized to be appro-
2 priated for each such program for such fiscal
3 year; and

4 (5) distribute the obligation limitation for Fed-
5 eral-aid highways, less the aggregate amounts not
6 distributed under paragraphs (1) and (2) and the
7 amounts distributed under paragraph (4), for Fed-
8 eral-aid highway and highway safety construction
9 programs that are apportioned by the Secretary
10 under title 23, United States Code (other than the
11 amounts apportioned for the National Highway Per-
12 formance Program in section 119 of title 23, United
13 States Code, that are exempt from the limitation
14 under subsection (b)(12) and the amounts appor-
15 tioned under sections 202 and 204 of that title) in
16 the proportion that—

17 (A) amounts authorized to be appropriated
18 for the programs that are apportioned under
19 title 23, United States Code, to each State for
20 such fiscal year; bears to

21 (B) the total of the amounts authorized to
22 be appropriated for the programs that are ap-
23 portioned under title 23, United States Code, to
24 all States for such fiscal year.

1 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

2 The obligation limitation for Federal-aid highways shall
3 not apply to obligations under or for—

4 (1) section 125 of title 23, United States Code;

5 (2) section 147 of the Surface Transportation
6 Assistance Act of 1978 (23 U.S.C. 144 note; 92
7 Stat. 2714);

8 (3) section 9 of the Federal-Aid Highway Act
9 of 1981 (95 Stat. 1701);

10 (4) subsections (b) and (j) of section 131 of the
11 Surface Transportation Assistance Act of 1982 (96
12 Stat. 2119);

13 (5) subsections (b) and (c) of section 149 of the
14 Surface Transportation and Uniform Relocation As-
15 sistance Act of 1987 (101 Stat. 198);

16 (6) sections 1103 through 1108 of the Inter-
17 modal Surface Transportation Efficiency Act of
18 1991 (105 Stat. 2027);

19 (7) section 157 of title 23, United States Code
20 (as in effect on June 8, 1998);

21 (8) section 105 of title 23, United States Code
22 (as in effect for fiscal years 1998 through 2004, but
23 only in an amount equal to \$639,000,000 for each
24 of those fiscal years);

1 (9) Federal-aid highway programs for which ob-
2 ligation authority was made available under the
3 Transportation Equity Act for the 21st Century
4 (112 Stat. 107) or subsequent Acts for multiple
5 years or to remain available until expended, but only
6 to the extent that the obligation authority has not
7 lapsed or been used;

8 (10) section 105 of title 23, United States Code
9 (as in effect for fiscal years 2005 through 2012, but
10 only in an amount equal to \$639,000,000 for each
11 of those fiscal years);

12 (11) section 1603 of SAFETEA-LU (23
13 U.S.C. 118 note; 119 Stat. 1248), to the extent that
14 funds obligated in accordance with that section were
15 not subject to a limitation on obligations at the time
16 at which the funds were initially made available for
17 obligation; and

18 (12) section 119 of title 23, United States Code
19 (but, for each of fiscal years 2013 through 2022,
20 only in an amount equal to \$639,000,000).

21 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
22 THORITY.—Notwithstanding subsection (a), the Secretary
23 shall, after August 1 of such fiscal year—

24 (1) revise a distribution of the obligation limita-
25 tion made available under subsection (a), if an

1 amount distributed cannot be obligated during that
2 fiscal year; and

3 (2) redistribute sufficient amounts to those
4 States able to obligate amounts in addition to those
5 previously distributed during that fiscal year, giving
6 priority to those States having large unobligated bal-
7 ances of funds apportioned under sections 144 (as in
8 effect on the day before the date of enactment of
9 Public Law 112–141) and 104 of title 23, United
10 States Code.

11 (d) CERTAIN PROGRAMS.—

12 (1) TRANSPORTATION RESEARCH PROGRAMS.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the obligation limitation for
15 Federal-aid highways shall apply to contract
16 authority for transportation research programs
17 carried out under—

18 (i) chapter 5 of title 23, United States
19 Code; and

20 (ii) title VI of the Fixing America’s
21 Surface Transportation Act.

22 (B) EXCEPTION.—Obligation authority
23 made available under subparagraph (A) shall—

24 (i) remain available for a period of 4
25 fiscal years; and

1 (ii) be in addition to the amount of
2 any limitation imposed on obligations for
3 Federal-aid highway and highway safety
4 construction programs for future fiscal
5 years.

6 (2) ADDITIONAL AMOUNTS FOR THE FEDERAL—
7 AID HIGHWAY PROGRAM AND MEMBER DESIGNATED
8 PROJECT FUNDS.—Obligation authority reserved
9 under subsection (a)(1)(C) for amounts authorized
10 as additional amounts for the Federal-aid highway
11 program or as member designated project funds (un-
12 related to amounts that had been previously author-
13 ized to be appropriated for fiscal year 2021) under
14 any successor surface transportation reauthorization
15 Act authorizing appropriations for fiscal year 2022
16 shall remain available until expended.

17 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
18 FUNDS.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of distribution of obligation limitation
21 under subsection (a), the Secretary shall distribute
22 to the States any funds (excluding funds authorized
23 for the program under section 202 of title 23,
24 United States Code) that—

1 (A) are authorized to be appropriated for
2 such fiscal year for Federal-aid highway pro-
3 grams; and

4 (B) the Secretary determines will not be
5 allocated to the States (or will not be appor-
6 tioned to the States under section 204 of title
7 23, United States Code), and will not be avail-
8 able for obligation, for such fiscal year because
9 of the imposition of any obligation limitation for
10 such fiscal year.

11 (2) **RATIO.**—Funds shall be distributed under
12 paragraph (1) in the same proportion as the dis-
13 tribution of obligation authority under subsection
14 (a)(5).

15 (3) **AVAILABILITY.**—Funds distributed to each
16 State under paragraph (1) shall be available for any
17 purpose described in section 133(b) of title 23,
18 United States Code.

19 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
20 ceived by the Bureau of Transportation Statistics from the
21 sale of data products, for necessary expenses incurred pur-
22 suant to chapter 63 of title 49, United States Code, may
23 be credited to the Federal-aid highways account for the
24 purpose of reimbursing the Bureau for such expenses:
25 *Provided*, That such funds shall be subject to the obliga-

1 tion limitation for Federal-aid highway and highway safety
2 construction programs.

3 SEC. 122. Not less than 15 days prior to waiving,
4 under his or her statutory authority, any Buy America re-
5 quirement for Federal-aid highways projects, the Sec-
6 retary of Transportation shall make an informal public no-
7 tice and comment opportunity on the intent to issue such
8 waiver and the reasons therefor: *Provided*, That the Sec-
9 retary shall provide an annual report to the House and
10 Senate Committees on Appropriations on any waivers
11 granted under the Buy America requirements.

12 SEC. 123. None of the funds made available in this
13 Act may be used to make a grant for a project under sec-
14 tion 117 of title 23, United States Code, unless the Sec-
15 retary, at least 60 days before making a grant under that
16 section, provides written notification to the House and
17 Senate Committees on Appropriations of the proposed
18 grant, including an evaluation and justification for the
19 project and the amount of the proposed grant award: *Pro-*
20 *vided*, That the written notification required in the pre-
21 ceding proviso shall be made not later than 180 days after
22 the date of enactment of this Act.

23 SEC. 124. (a) A State or territory, as defined in sec-
24 tion 165 of title 23, United States Code, may use for any
25 project eligible under sections 133(b) or 165 of such title,

1 and located within the boundary of the State or territory
2 any earmarked amount, and any associated obligation lim-
3 itation: *Provided*, That the Department of Transportation
4 for the State or territory for which the earmarked amount
5 was originally designated or directed notifies the Secretary
6 of Transportation of its intent to use its authority under
7 this section and submits an annual report to the Secretary
8 identifying the projects to which the funding would be ap-
9 plied. Notwithstanding the original period of availability
10 of funds to be obligated under this section, such funds
11 and associated obligation limitation shall remain available
12 for obligation for a period of 3 fiscal years after the fiscal
13 year in which the Secretary of Transportation is notified.
14 The Federal share of the cost of a project carried out with
15 funds made available under this section shall be the same
16 as associated with the earmark.

17 (b) In this section, the term “earmarked amount”
18 means—

19 (1) congressionally directed spending, as de-
20 fined in rule XLIV of the Standing Rules of the
21 Senate, identified in a prior law, report, or joint ex-
22 planatory statement, which was authorized to be ap-
23 propriated or appropriated more than 10 fiscal years
24 prior to the current fiscal year, and administered by
25 the Federal Highway Administration; or

1 (2) a congressional earmark, as defined in rule
2 XXI of the Rules of the House of Representatives,
3 identified in a prior law, report, or joint explanatory
4 statement, which was authorized to be appropriated
5 or appropriated more than 10 fiscal years prior to
6 the current fiscal year, and administered by the Fed-
7 eral Highway Administration.

8 (c) The authority under subsection (a) may be exer-
9 cised only for those projects or activities that have obli-
10 gated less than 10 percent of the amount made available
11 for obligation as of October 1 of the current fiscal year,
12 and shall be applied to projects within the same general
13 geographic area within 5 miles for which the funding was
14 designated, except that a State or territory may apply
15 such authority to unexpended balances of funds from
16 projects or activities the State or territory certifies have
17 been closed and for which payments have been made under
18 a final voucher.

19 (d) The Secretary shall submit consolidated reports
20 of the information provided by the States and territories
21 annually to the House and Senate Committees on Appro-
22 priations.

23 SEC. 125. Until final guidance is published, the Ad-
24 ministrators of the Federal Highway Administration shall

1 adjudicate requests for Buy America waivers under the
2 criteria that were in effect prior to April 17, 2018.

3 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

4 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

5 (LIQUIDATION OF CONTRACT AUTHORIZATION)

6 (LIMITATION ON OBLIGATIONS)

7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in the implemen-
9 tation, execution and administration of motor carrier safe-
10 ty operations and programs pursuant to section 31110 of
11 title 49, United States Code, as amended by the Fixing
12 America's Surface Transportation Act (Public Law 114–
13 94) or any successor surface transportation reauthoriza-
14 tion Act authorizing appropriations for fiscal year 2022,
15 \$379,500,000, to be derived from the Highway Trust
16 Fund (other than the Mass Transit Account), together
17 with advances and reimbursements received by the Fed-
18 eral Motor Carrier Safety Administration, the sum of
19 which shall remain available until expended: *Provided,*
20 That funds available for implementation, execution, or ad-
21 ministration of motor carrier safety operations and pro-
22 grams authorized under title 49, United States Code, shall
23 not exceed total obligations of \$379,500,000, for “Motor
24 Carrier Safety Operations and Programs” for fiscal year
25 2022, of which \$13,073,000, to remain available for obli-

1 gation until September 30, 2024, is for the research and
2 technology program, and of which not less than
3 \$65,000,000, to remain available for obligation until Sep-
4 tember 30, 2024, is for development, modernization, en-
5 hancement, continued operation, and maintenance of in-
6 formation technology and information management.

7 MOTOR CARRIER SAFETY GRANTS

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (LIMITATION ON OBLIGATIONS)

10 (HIGHWAY TRUST FUND)

11 For payment of obligations incurred in carrying out
12 sections 31102, 31103, 31104, and 31313 of title 49,
13 United States Code, as amended by the Fixing America's
14 Surface Transportation Act (Public Law 114–94), or any
15 successor surface transportation reauthorization Act au-
16 thorizing appropriations for fiscal year 2022,
17 \$506,200,000, to be derived from the Highway Trust
18 Fund (other than the Mass Transit Account) and to re-
19 main available until expended: *Provided*, That funds avail-
20 able for the implementation or execution of motor carrier
21 safety programs shall not exceed total obligations of
22 \$506,200,000 in fiscal year 2022 for “Motor Carrier Safe-
23 ty Grants”: *Provided further*, That of the sums appro-
24 priated under this heading:

1 (1) \$389,212,000 shall be available for the
2 motor carrier safety assistance program;

3 (2) \$56,880,000 shall be available for the com-
4 mercial driver's license program implementation pro-
5 gram;

6 (3) \$59,108,000 shall be available for the high
7 priority activities program; and

8 (4) \$1,000,000 shall be made available for com-
9 mercial motor vehicle operators grants.

10 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

11 CARRIER SAFETY ADMINISTRATION

12 SEC. 130. The Federal Motor Carrier Safety Admin-
13 istration shall send notice of section 385.308 of title 49,
14 Code of Federal Regulations, violations by certified mail,
15 registered mail, or another manner of delivery, which
16 records the receipt of the notice by the persons responsible
17 for the violations.

18 SEC. 131. The Federal Motor Carrier Safety Admin-
19 istration shall update annual inspection regulations under
20 Appendix G to subchapter B of chapter III of title 49,
21 Code of Federal Regulations, as recommended by GAO—
22 19–264.

23 【SEC. 132. None of the funds appropriated or other-
24 wise made available to the Department of Transportation
25 by this Act or any other Act may be obligated or expended

1 to implement, administer, or enforce the requirements of
2 section 31137 of title 49, United States Code, or any regu-
3 lation issued by the Secretary pursuant to such section,
4 with respect to the use of electronic logging devices by op-
5 erators of commercial motor vehicles, as such term is de-
6 fined in section 31132 of such title, who are transporting
7 livestock, as such term is defined in section 602 of the
8 Emergency Livestock Feed Assistance Act of 1988 (7
9 U.S.C. 1471), or insects.】

10 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

11 OPERATIONS AND RESEARCH

12 For expenses necessary to discharge the functions of
13 the Secretary, with respect to traffic and highway safety
14 authorized under chapter 301 and part C of subtitle VI
15 of title 49, United States Code, \$245,550,000 shall remain
16 available through September 30, 2023.

17 OPERATIONS AND RESEARCH

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 (INCLUDING TRANSFER OF FUNDS)

22 For payment of obligations incurred in carrying out
23 the provisions of 23 U.S.C. 403, including behavioral re-
24 search on Automated Driving Systems and Advanced
25 Driver Assistance Systems and improving consumer re-

1 sponses to safety recalls, section 4011 of the Fixing Amer-
2 ica's Surface Transportation Act (Public Law 114–94),
3 and chapter 303 of title 49, United States Code, or any
4 successor surface transportation reauthorization Act au-
5 thorizing appropriations for fiscal year 2022,
6 \$180,612,000, to be derived from the Highway Trust
7 Fund (other than the Mass Transit Account) and to re-
8 main available until expended: *Provided*, That none of the
9 funds in this Act shall be available for the planning or
10 execution of programs the total obligations for which, in
11 fiscal year 2022, are in excess of \$180,612,000: *Provided*
12 *further*, That of the sums appropriated under this head-
13 ing—

14 (1) \$165,112,000 shall be for programs author-
15 ized under section 403 of title 23, United States
16 Code, including behavioral research on Automated
17 Driving Systems and Advanced Driver Assistance
18 Systems and improving consumer responses to safety
19 recalls, and section 4011 of the Fixing America's
20 Surface Transportation Act (Public Law 114–94) or
21 any successor surface transportation reauthorization
22 Act authorizing appropriations for fiscal year 2022;

23 (2) \$5,500,000 shall be for the National Driver
24 Register authorized under chapter 303 of title 49,
25 United States Code; and

1 (3) \$10,000,000 shall be available to continue
2 a high visibility enforcement paid-media campaign
3 regarding highway-rail grade crossing safety in col-
4 laboration with the Federal Railroad Administration:
5 *Provided*, That \$3,947,458 of such amounts are to
6 be made available from prior year unobligated con-
7 tract authority provided under the heading “Oper-
8 ations and Research (Liquidation of Contract Au-
9 thorization) (Limitation on Obligations) (Highway
10 Trust Fund)” in the Transportation Equity Act for
11 the 21st Century (Public Law 105–178),
12 SAFETEA–LU (Public Law 109–59), MAP–21
13 (Public Law 112–141), the FAST Act (Public Law
14 114–94), or other appropriations or authorization
15 Acts prior to fiscal year 2022: *Provided further*,
16 That of unobligated amounts provided under the
17 heading “Highway Traffic Safety Grants (Liquida-
18 tion of Contract Authorization) (Limitation on Obli-
19 gations) (Highway Trust Fund)” in the Transpor-
20 tation Equity Act for the 21st Century (Public Law
21 105–178), SAFETEA–LU (Public Law 109–59),
22 MAP–21 (Public Law 112–141), the FAST Act
23 (Public Law 114–94), or other appropriations or au-
24 thorization Acts prior to fiscal year 2022,
25 \$6,052,542, shall be transferred and merged with

1 this appropriation and made available for the pur-
2 poses of this paragraph:

3 *Provided further*, That within the \$180,612,000 obligation
4 limitation for operations and research, \$20,000,000 shall
5 remain available until September 30, 2023, and up to
6 \$7,000,000, for mobility research on older drivers, shall
7 remain available until expended, and shall be in addition
8 to the amount of any limitation imposed on obligations
9 for future years: *Provided further*, That amounts for be-
10 havioral research on Automated Driving Systems and Ad-
11 vanced Driver Assistance Systems and improving con-
12 sumer responses to safety recalls are in addition to any
13 other funds provided for those purposes for fiscal year
14 2022 in this Act.

15 HIGHWAY TRAFFIC SAFETY GRANTS
16 (LIQUIDATION OF CONTRACT AUTHORIZATION)
17 (LIMITATION ON OBLIGATIONS)
18 (HIGHWAY TRUST FUND)

19 For payment of obligations incurred in carrying out
20 provisions of sections 402, 404, and 405 of title 23,
21 United States Code, and section 4001(a)(6) of the Fixing
22 America's Surface Transportation Act (Public Law 114–
23 94), or any successor surface transportation reauthoriza-
24 tion Act authorizing appropriations for fiscal year 2022,
25 to remain available until expended, \$855,488,000, to be

1 derived from the Highway Trust Fund (other than the
2 Mass Transit Account): *Provided*, That none of the funds
3 in this Act shall be available for the planning or execution
4 of programs for which the total obligations in fiscal year
5 2022 are in excess of \$855,488,000 for programs author-
6 ized under 23 U.S.C. 402, 404, and 405, and section
7 4001(a)(6) of the Fixing America's Surface Transpor-
8 tation Act or any successor surface transportation reau-
9 thorization Act authorizing appropriations for fiscal year
10 2022: *Provided further*, That of the sums appropriated
11 under this heading—

12 (1) \$384,800,000 shall be for the highway safe-
13 ty program under section 402 of title 23, United
14 States Code;

15 (2) \$390,900,000 shall be for national priority
16 safety programs under section 405 of title 23,
17 United States Code;

18 (3) \$49,702,000 shall be for the high-visibility
19 enforcement program under section 404 of title 23,
20 United States Code; and

21 (4) \$30,086,000 shall be for administrative ex-
22 penses under section 4001(a)(6) of the Fixing Amer-
23 ica's Surface Transportation Act:

24 *Provided further*, That none of these funds shall be used
25 for construction, rehabilitation, or remodeling costs, or for

1 office furnishings and fixtures for state, local or private
2 buildings or structures: *Provided further*, That not to ex-
3 ceed \$500,000 of the funds made available for “National
4 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
5 paired Driving Countermeasures” (as described in sub-
6 section (d) of that section) shall be available for technical
7 assistance to the states: *Provided further*, That with re-
8 spect to the “Transfers” provision under 23 U.S.C.
9 405(a)(8), any amounts transferred to increase the
10 amounts made available under section 402 shall include
11 the obligation authority for such amounts: *Provided fur-*
12 *ther*, That the Administrator shall notify the House and
13 Senate Committees on Appropriations of any exercise of
14 the authority granted under the previous proviso or under
15 23 U.S.C. 405(a)(8) not later than 5 days after the date
16 of the transfer.

17 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

18 TRAFFIC SAFETY ADMINISTRATION

19 SEC. 140. An additional \$130,000 shall be made
20 available to the National Highway Traffic Safety Adminis-
21 tration, out of the amount limited for section 402 of title
22 23, United States Code, to pay for travel and related ex-
23 penses for state management reviews and to pay for core
24 competency development training and related expenses for
25 highway safety staff.

1 SEC. 141. The limitations on obligations for the pro-
2 grams of the National Highway Traffic Safety Adminis-
3 tration set in this Act shall not apply to obligations for
4 which obligation authority was made available in previous
5 public laws but only to the extent that the obligation au-
6 thority has not lapsed or been used.

7 SEC. 142. In addition to the amounts made available
8 under the heading, “Operations and Research (Liquida-
9 tion of Contract Authorization) (Limitation on Obliga-
10 tions) (Highway Trust Fund)” for carrying out the provi-
11 sions of section 403 of title 23, United States Code,
12 \$7,000,000, to remain available until September 30, 2023,
13 shall be made available to the National Highway Traffic
14 Safety Administration from the general fund to provide
15 funding for grants, pilot program activities, and innovative
16 solutions to reduce impaired-driving fatalities in collabora-
17 tion with eligible entities under section 403 of title 23,
18 United States Code.

19 SEC. 143. None of the funds in this Act or any other
20 Act shall be used to enforce the requirements of section
21 405(a)(9) of title 23, United States Code.

22 FEDERAL RAILROAD ADMINISTRATION
23 SAFETY AND OPERATIONS

24 For necessary expenses of the Federal Railroad Ad-
25 ministration, not otherwise provided for, \$247,700,000, of

1 which \$30,000,000 shall remain available until expended:
2 *Provided*, That of the amounts made available under this
3 heading, not more than \$2,100,000, to remain available
4 until expended, shall be for the alteration and repair of
5 buildings and improvements for fire and life safety, emer-
6 gency power system, waste and potable water manage-
7 ment, and asbestos abatement projects, to carry out nec-
8 essary railroad safety, training, and research activities at
9 the Transportation Technology Center.

10 RAILROAD RESEARCH AND DEVELOPMENT

11 For necessary expenses for railroad research and de-
12 velopment, \$53,826,000, to remain available until ex-
13 pended.

14 PASSENGER RAIL IMPROVEMENT, MODERNIZATION, AND
15 EXPANSION

16 For investments in railroad infrastructure to improve
17 mobility, operational performance, or growth of intercity
18 rail passenger transportation (as defined in section 24102
19 of title 49, United States Code), \$625,000,000, to remain
20 available until expended: *Provided*, That the Secretary
21 shall distribute amounts made available under this head-
22 ing as discretionary grants to be awarded to a State; a
23 group of States; an Interstate Compact; a public agency
24 or publicly chartered authority established by 1 or more
25 States; a political subdivision of a State; a tribal govern-

1 ment; the National Railroad Passenger Corporation; or a
2 combination of such entities, on a competitive basis: *Pro-*
3 *vided further*, That capital projects eligible for amounts
4 made available under this heading shall be for—

5 (1) providing intercity rail passenger transpor-
6 tation;

7 (2) improving intercity rail passenger transpor-
8 tation performance (including congestion mitigation,
9 reliability improvements, achievement of on-time per-
10 formance standards established under section 207 of
11 the Passenger Rail Investment and Improvement
12 Act of 2008 (49 U.S.C. 24101 note), reduced trip
13 times, increased train frequencies, higher operating
14 speeds, electrification, and other improvements as
15 determined by the Secretary); or

16 (3) expanding or establishing intercity rail pas-
17 senger transportation and facilities, including activi-
18 ties defined in section 26105(2) of title 49, United
19 States Code:

20 *Provided further*, That projects eligible for amounts made
21 available under this heading shall include acquiring, con-
22 structing, or improving infrastructure assets, equipment,
23 or facilities of use in or for the primary benefit of intercity
24 rail passenger transportation (including tunnels, bridges,
25 stations, track and track structures, communication and

1 signalization improvements, electrification, highway-rail
2 grade crossing improvements, and passenger rolling
3 stock): *Provided further*, That projects eligible for amounts
4 made available under this heading shall include planning,
5 developing, designing, engineering, location surveying,
6 mapping, environmental analyses and studies, and acquir-
7 ing rights-of-way or making payments for railroad track-
8 age rights agreements for eligible projects in the second
9 proviso under this heading: *Provided further*, That the
10 Federal share of the costs for which an amount is provided
11 under this heading shall be, at the option of the recipient,
12 up to 90 percent: *Provided further*, That the proceeds of
13 Federal credit assistance under chapter 6 of title 23,
14 United States Code, or sections 501 through 504 of the
15 Railroad Revitalization and Regulatory Reform Act of
16 1976 (Public Law 94–210) shall be considered to be part
17 of the non-Federal share of project costs if the loan is
18 repayable from non-Federal funds, unless otherwise re-
19 quested: *Provided further*, That the National Railroad
20 Passenger Corporation may use ticket and other revenues
21 generated from its operations and other sources to satisfy
22 the non-Federal share of project costs for which an
23 amount is made available under this heading: *Provided*
24 *further*, That projects conducted using amounts made
25 available under this heading shall comply with the grant

1 conditions under section 22905 of title 49, United States
2 Code: *Provided further*, That, notwithstanding the pre-
3 ceding proviso, the Secretary shall apply the domestic buy-
4 ing preferences of section 24305(f) of title 49, United
5 States Code, to projects conducted by the National Rail-
6 road Passenger Corporation using amounts made available
7 under this heading, in lieu of the requirements of section
8 22905(a) of title 49, United States Code: *Provided further*,
9 That the Secretary may withhold up to 2 percent of the
10 amounts made available under this heading for the costs
11 of award and project management oversight of grants.

12 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
13 IMPROVEMENTS

14 For necessary expenses related to consolidated rail
15 infrastructure and safety improvements grants, as author-
16 ized by section 22907 of title 49, United States Code,
17 \$500,000,000, to remain available until expended: *Pro-*
18 *vided*, That of the amounts made available under this
19 heading—

20 (1) not less than \$150,000,000 shall be for
21 projects eligible under section 22907(c)(2) of title
22 49, United States Code, that support the develop-
23 ment of new intercity passenger rail service routes
24 including alignments for existing routes;

1 (2) not less than \$25,000,000 shall be for
2 projects to reduce trespassing on railroad property
3 and along railroad rights-of-way (including capital
4 projects and engineering solutions), suicide preven-
5 tion activities, deployment of trespasser prevention
6 technology, and enforcement activities: *Provided*,
7 That for amounts made available in this paragraph,
8 the Secretary shall give preference to projects that
9 are located in counties with the most pedestrian
10 trespasser casualties; and

11 (3) not more than \$5,000,000 shall be for
12 projects eligible under section 22907(c)(8) of title
13 49, United States Code: *Provided*, That for amounts
14 made available in this paragraph, eligible projects
15 under section 22907(c)(8) of title 49, United States
16 Code, shall also include railroad systems planning
17 (including the preparation of regional intercity pas-
18 senger rail plans and State Rail Plans) and railroad
19 project development activities (including railroad
20 project planning, preliminary engineering, design,
21 environmental analysis, feasibility studies, and the
22 development and analysis of project alternatives):
23 *Provided further*, That the Secretary shall not limit eligible
24 projects from consideration for funding for planning, engi-
25 neering, environmental, construction, and design elements

1 of the same project in the same application: *Provided fur-*
2 *ther*, That section 22907(e)(1)(A) of title 49, United
3 States Code, shall not apply to amounts made available
4 under this heading: *Provided further*, That section
5 22907(e)(1)(A) of title 49, United States Code, shall not
6 apply to amounts made available under this heading in
7 previous fiscal years if such funds are announced in a no-
8 tice of funding opportunity that includes funds made avail-
9 able under this heading: *Provided further*, That unobli-
10 gated balances remaining after 6 years from the date of
11 enactment of this Act may be used for any eligible project
12 under section 22907(c) of title 49, United States Code:
13 *Provided further*, That the Secretary may withhold up to
14 2 percent of the amounts made available under this head-
15 ing for the costs of award and project management over-
16 sight of grants carried out under section 22907 of title
17 49, United States Code.

18 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT

19 PROGRAM

20 For necessary expenses related to the deployment of
21 magnetic levitation transportation projects, consistent
22 with language in subsections (a) through (c) of section
23 1307 of SAFETEA-LU (Public Law 109–59), as amend-
24 ed by section 102 of the SAFETEA-LU Technical Correc-

1 tions Act of 2008 (Public Law 110–244) (23 U.S.C. 322
2 note), \$5,000,000, to remain available until expended.

3 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 activities associated with the Northeast Corridor as au-
8 thorized by section 11101(a) of the Fixing America’s Sur-
9 face Transportation Act (division A of Public Law 114–
10 94), \$1,200,000,000, to remain available until expended:
11 *Provided*, That the Secretary may retain up to one-half
12 of 1 percent of the amounts made available under both
13 this heading and the “National Network Grants to the Na-
14 tional Railroad Passenger Corporation” heading to fund
15 the costs of project management and oversight of activities
16 authorized by section 11101(c) of the Fixing America’s
17 Surface Transportation Act (division A of Public Law
18 114–94): *Provided further*, That in addition to the project
19 management oversight funds authorized under section
20 11101(c) of such Act, the Secretary may retain up to an
21 additional \$6,000,000 of the amounts made available
22 under this heading to fund expenses associated with the
23 Northeast Corridor Commission established under section
24 24905 of title 49, United States Code: *Provided further*,
25 That of the amounts made available under this heading

1 and the “National Network Grants to the National Rail-
2 road Passenger Corporation” heading, not less than
3 \$75,000,000 shall be made available to bring Amtrak-
4 served facilities and stations into compliance with the
5 Americans with Disabilities Act of 1990 (42 U.S.C. 12101
6 et seq.).

7 NATIONAL NETWORK GRANTS TO THE NATIONAL
8 RAILROAD PASSENGER CORPORATION

9 To enable the Secretary of Transportation to make
10 grants to the National Railroad Passenger Corporation for
11 activities associated with the National Network as author-
12 ized by section 11101(b) of the Fixing America’s Surface
13 Transportation Act (division A of Public Law 114–94),
14 \$1,500,000,000, to remain available until expended: *Pro-*
15 *vided*, That the Secretary may retain up to an additional
16 \$3,000,000 of the amounts made available under this
17 heading to fund expenses associated with the State-Sup-
18 ported Route Committee established under section 24712
19 of title 49, United States Code: *Provided further*, That
20 none of the funds made available under this heading shall
21 be used by the National Railroad Passenger Corporation
22 to give notice under subsection (a) or (b) of section 24706
23 of title 49, United States Code, with respect to long-dis-
24 tance routes (as defined in section 24102 of title 49,
25 United States Code) on which the National Railroad Pas-

1 senger Corporation is the sole operator on a host railroad's
2 line and a positive train control system is not required by
3 law or regulation, or, except in an emergency or during
4 maintenance or construction outages impacting such
5 routes, to otherwise discontinue, reduce the frequency of,
6 suspend, or substantially alter the route of rail service on
7 any portion of such route operated in fiscal year 2018,
8 including implementation of service permitted by section
9 24305(a)(3)(A) of title 49, United States Code, in lieu of
10 rail service.

11 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

12 ADMINISTRATION

13 (INCLUDING RESCISSIONS)

14 SEC. 150. None of the funds made available to the
15 National Railroad Passenger Corporation may be used to
16 fund any overtime costs in excess of \$35,000 for any indi-
17 vidual employee: *Provided*, That the President of Amtrak
18 may waive the cap set in the preceding proviso for specific
19 employees when the President of Amtrak determines such
20 a cap poses a risk to the safety and operational efficiency
21 of the system: *Provided further*, That the President of Am-
22 trak shall report to the House and Senate Committees on
23 Appropriations no later than 60 days after the date of en-
24 actment of this Act, a summary of all overtime payments
25 incurred by Amtrak for 2021 and the 3 prior calendar

1 years: *Provided further*, That such summary shall include
2 the total number of employees that received waivers and
3 the total overtime payments Amtrak paid to employees re-
4 ceiving waivers for each month for 2021 and for the 3
5 prior calendar years.

6 SEC. 151. None of the funds made available by this
7 Act may be used by the National Railroad Passenger Cor-
8 poration in contravention of the Worker Adjustment and
9 Retraining Notification Act (29 U.S.C. 2101 et seq.).

10 SEC. 152. The amounts made available to the Sec-
11 retary or to the Federal Railroad Administration for the
12 costs of award and project management oversight of
13 grants which are administered by the Federal Railroad
14 Administration, in this and prior Acts, may be merged to
15 support activities relating to award and project manage-
16 ment oversight of grants administered by the Federal
17 Railroad Administration, in the same manner as appro-
18 priated for in this and prior Acts: *Provided*, That this sec-
19 tion shall not apply to the amounts made available under
20 the headings “Northeast Corridor Grants to the National
21 Railroad Passenger Corporation” and “National Network
22 Grants to the National Railroad Passenger Corporation”
23 in this and prior Acts: *Provided further*, That this section
24 shall not apply to amounts that were previously designated
25 by the Congress as an emergency requirement pursuant

1 to a concurrent resolution on the budget or section
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 SEC. 153. Of the unobligated balances of funds re-
5 maining from—

6 (1) “Railroad Safety Grants” accounts totaling
7 \$1,715,414.34 appropriated by the following public
8 laws are hereby permanently rescinded:

9 (A) Public Law 105–277 a total of
10 \$7,052.79 under the heading “Railroad Safe-
11 ty”;

12 (B) Public Law 113–235 a total of
13 \$190,265.91 from section 153 under the head-
14 ing “Administrative Provisions—Federal Rail-
15 road Administration”; and

16 (C) Public Law 114–113 a total of
17 \$1,518,095.64; and

18 (2) “Capital Assistance for High Speed Rail
19 Corridors and Intercity Passenger Rail Service” ac-
20 count totaling \$13,327,006.39 appropriated by Pub-
21 lic Law 111–117 is hereby permanently rescinded.

22 FEDERAL TRANSIT ADMINISTRATION

23 ADMINISTRATIVE EXPENSES

24 For necessary administrative expenses of the Federal
25 Transit Administration’s programs authorized by chapter

1 53 of title 49, United States Code, \$132,500,000 which
2 shall remain available until September 30, 2023: *Provided*,
3 That of the amounts made available under this heading,
4 no more than \$1,000,000 shall be available for the nec-
5 essary expenses of administering funds made available in
6 paragraph (1) under the heading “Highway Infrastructure
7 Programs” and shall remain available until expended: *Pro-*
8 *vided further*, That upon submission to the Congress of
9 the fiscal year 2023 President’s budget, the Secretary of
10 Transportation shall transmit to Congress the annual re-
11 port on capital investment grants, including proposed allo-
12 cations for fiscal year 2023.

13 TRANSIT FORMULA GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (LIMITATION ON OBLIGATIONS)

16 (HIGHWAY TRUST FUND)

17 For payment of obligations incurred in the Federal
18 Public Transportation Assistance Program in this ac-
19 count, and for payment of obligations incurred in carrying
20 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
21 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
22 5340, as amended by the Fixing America’s Surface Trans-
23 portation Act, section 20005(b) of Public Law 112–141,
24 and section 3006(b) of the Fixing America’s Surface
25 Transportation Act, or any successor surface transpor-

1 tation reauthorization Act authorizing appropriations for
2 fiscal year 2022, \$13,000,000,000, to be derived from the
3 Mass Transit Account of the Highway Trust Fund and
4 to remain available until expended: *Provided*, That funds
5 available for the implementation or execution of programs
6 authorized under 49 U.S.C. 5305, 5307, 5310, 5311,
7 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
8 5340, as amended by the Fixing America's Surface Trans-
9 portation Act, section 20005(b) of Public Law 112–141,
10 and section 3006(b) of the Fixing America's Surface
11 Transportation Act, shall not exceed total obligations of
12 \$12,150,348,462 in fiscal year 2022: *Provided further*,
13 That the Federal share of the cost of activities carried
14 out under 49 U.S.C. section 5312 shall not exceed 80 per-
15 cent, except that if there is substantial public interest or
16 benefit, the Secretary may approve a greater Federal
17 share.

18 TRANSIT INFRASTRUCTURE GRANTS

19 For an additional amount for buses and bus facilities
20 grants under section 5339 of title 49, United States Code,
21 low or no emission grants under section 5339(c) of such
22 title, technical assistance and workforce development
23 under section 5314 of such title, competitive grants under
24 sections 5307 and 5311 of such title related to planning
25 for zero emission vehicles, ferry boats grants under section

1 5307(h) of such title, bus testing facilities under section
2 5318 of such title, innovative mobility solutions grants
3 under section 5312 of such title and grants to improve
4 the resilience of transit assets, \$580,000,000, to remain
5 available until expended: *Provided*, That of the sums pro-
6 vided under this heading—

7 (1) \$203,000,000 shall be available for the
8 buses and bus facilities grants as authorized under
9 section 5339(b) of such title: *Provided*, That activi-
10 ties that increase green space surrounding a bus
11 transportation hub structure are eligible for a grant
12 under this paragraph;

13 (2) \$240,000,000 shall be available for the low
14 or no emission grants as authorized under section
15 5339(c) of such title: *Provided*, That the minimum
16 grant award shall be not less than \$750,000: *Pro-*
17 *vided further*, That grants authorized under this
18 paragraph shall only be available for zero-emission
19 buses and the facilities to support those buses;

20 (3) \$5,000,000 shall be provided under section
21 5314 of such title for two centers to provide tech-
22 nical assistance and coordinate the bus industry
23 transition to zero-emission buses;

24 (4) \$5,000,000 shall be available for competi-
25 tive grants to recipients eligible under section 5307

1 and 5311 of such title for the planning of public
2 transportation service associated with the transition
3 to zero-emission bus fleets: *Provided*, That no less
4 than \$1,000,000 shall be available to recipients with
5 fewer than 150 buses within their bus fleets and no
6 less than \$2,000,000 shall be available to recipients
7 with at least 150 but not more than 500 buses with-
8 in their bus fleets;

9 (5) \$20,000,000 shall be available for ferry
10 boat grants as authorized under section 5307(h) of
11 such title: *Provided*, That amounts made available
12 under this subparagraph shall only be available for
13 low or zero-emission ferries or ferries using electric
14 battery or fuel cell components and the infrastruc-
15 ture to support such ferries;

16 (6) \$2,000,000 shall be available for the oper-
17 ation and maintenance of the bus testing facilities
18 selected under section 5318 of such title, and the
19 Federal cost share for such amounts shall be 100
20 percent;

21 (7) \$25,000,000 shall be available for the dem-
22 onstration and deployment of innovative mobility so-
23 lutions as authorized under section 5312 of title 49,
24 United States Code, and the Federal cost share for
25 such amounts shall be 100 percent: *Provided*, That

1 such amounts shall be available for competitive re-
2 search or cooperative agreements that will transform
3 transit systems by modeling, simulating, and imple-
4 menting scenario plans with an emphasis on projects
5 that use artificial intelligence to facilitate planning:
6 *Provided further*, That the Secretary shall provide
7 preference to projects that will improve access to
8 jobs, housing, health care, education, and address
9 food insecurity and shall also address how individ-
10 uals without access to advanced technology will ben-
11 efit from such solutions: *Provided further*, That any
12 applicant from an urbanized area shall integrate the
13 payment structures of all transit agencies within
14 that urbanized area and, to the extent possible,
15 other mobility solutions: *Provided further*, That
16 grants shall be awarded to no more than 5 recipients
17 and the Secretary shall require applicants to provide
18 initial plans before selecting finalists;

19 (8) \$50,000,000 shall be available for not more
20 than five competitive integrated smart mobility
21 grants to recipients eligible under section 5307 and
22 5311 of title 49, United States Code, for planning
23 and capital projects that support the adoption of in-
24 novative approaches to mobility that will improve
25 safety, accessibility, air-quality, and equity in access

1 to community services and economic opportunities,
2 including first and last mile options such as opti-
3 mizing transit route planning and using integrated
4 travel planning and payment systems: *Provided*,
5 That the Secretary shall provide preference to
6 projects that will improve access to jobs, housing,
7 health care, education, and address food insecurity
8 and shall also address how individuals without ac-
9 cess to advanced technology will benefit from such
10 solutions: *Provided further*, That the Secretary shall
11 provide preference to projects that include job reten-
12 tion and retraining for current employees: *Provided*
13 *further*, That an eligible subrecipient is any entity el-
14 igible to be a recipient: *Provided further*, That the
15 Federal share for projects funded under this para-
16 graph shall not exceed 80 percent of the net project
17 cost; and

18 (9) \$30,000,000 shall be available for competi-
19 tive climate resilience and adaptation grants to re-
20 cipients eligible under sections 5307 and 5311 of
21 title 49, United States Code, for capital projects
22 that improve the resilience of transit assets related
23 to climate hazards by protecting transit infrastruc-
24 ture, including stations, tunnels, and tracks, from
25 flooding, extreme temperatures, and other climate-

1 related hazards: *Provided*, That an eligible sub-
2 recipient is any entity eligible to be a recipient: *Pro-*
3 *vided further*, That the Secretary shall take such
4 measures as to ensure an equitable geographic dis-
5 tribution of funds and an equitable distribution of
6 funds among recipients eligible under sections 5307,
7 5311, and 5337 of title 49, United States Code: *Pro-*
8 *vided further*, That not more than 15 percent of the
9 amounts made available under this heading may be
10 awarded to projects in a single state: *Provided fur-*
11 *ther*, That the Federal share for projects funded
12 under this paragraph shall not exceed 80 percent of
13 the net project cost, except that if there is a sub-
14 stantial public interest or benefit, the Secretary may
15 approve a greater Federal share:
16 *Provided further*, That amounts made available by this
17 heading shall be derived from the general fund: *Provided*
18 *further*, That the amounts made available under this head-
19 ing shall not be subject to any limitation on obligations
20 for transit programs set forth in any Act.

21 TECHNICAL ASSISTANCE AND TRAINING

22 For necessary expenses to carry out section 5314 of
23 title 49, United States Code, \$7,500,000, to remain avail-
24 able until September 30, 2023: *Provided*, That the assist-
25 ance provided under this heading does not duplicate the

1 activities of section 5311(b) or section 5312 of title 49,
2 United States Code.

3 CAPITAL INVESTMENT GRANTS

4 For necessary expenses to carry out fixed guideway
5 capital investment grants under section 5309 of title 49,
6 United States Code, and section 3005(b) of the Fixing
7 America's Surface Transportation Act (Public Law 114–
8 94), \$2,473,000,000, to remain available until September
9 30, 2025: *Provided*, That the Secretary shall continue to
10 administer the Capital Investment Grants Program in ac-
11 cordance with the procedural and substantive require-
12 ments of section 5309 of title 49, United States Code, and
13 of section 3005(b) of the Fixing America's Surface Trans-
14 portation Act: *Provided further*, That projects that receive
15 a grant agreement under the Expedited Project Delivery
16 for Capital Investment Grants Pilot Program under sec-
17 tion 3005(b) of the Fixing America's Surface Transpor-
18 tation Act shall be deemed eligible for funding provided
19 for projects under section 5309 of title 49, United States
20 Code, without further evaluation or rating under such sec-
21 tion: *Provided further*, That such funding shall not exceed
22 the Federal share under section 3005(b).

1 GRANTS TO THE WASHINGTON METROPOLITAN AREA
2 TRANSIT AUTHORITY

3 For grants to the Washington Metropolitan Area
4 Transit Authority as authorized under section 601 of divi-
5 sion B of the Passenger Rail Investment and Improvement
6 Act of 2008 (Public Law 110–432), \$150,000,000, to re-
7 main available until expended: *Provided*, That the Sec-
8 retary of Transportation shall approve grants for capital
9 and preventive maintenance expenditures for the Wash-
10 ington Metropolitan Area Transit Authority only after re-
11 ceiving and reviewing a request for each specific project:
12 *Provided further*, That the Secretary shall determine that
13 the Washington Metropolitan Area Transit Authority has
14 placed the highest priority on those investments that will
15 improve the safety of the system before approving such
16 grants.

17 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

18 ADMINISTRATION

19 (INCLUDING RESCISSIONS)

20 SEC. 160. The limitations on obligations for the pro-
21 grams of the Federal Transit Administration shall not
22 apply to any authority under 49 U.S.C. 5338, previously
23 made available for obligation, or to any other authority
24 previously made available for obligation.

1 SEC. 161. Notwithstanding any other provision of
2 law, funds appropriated or limited by this Act under the
3 heading “Capital Investment Grants” of the Federal
4 Transit Administration for projects specified in this Act
5 or identified in the report accompanying this Act not obli-
6 gated by September 30, 2025, and other recoveries, shall
7 be directed to projects eligible to use the funds for the
8 purposes for which they were originally provided.

9 SEC. 162. Notwithstanding any other provision of
10 law, any funds appropriated before October 1, 2021, under
11 any section of chapter 53 of title 49, United States Code,
12 that remain available for expenditure, may be transferred
13 to and administered under the most recent appropriation
14 heading for any such section.

15 SEC. 163. None of the funds made available by this
16 Act or any other Act shall be used to adjust appor-
17 tionments or withhold funds from apportionments pursuant
18 to section 9503(e)(4) of the Internal Revenue Code of
19 1986 (26 U.S.C. 9503(e)(4)).

20 SEC. 164. An eligible recipient of a grant under sec-
21 tion 5339(c) may submit an application in partnership
22 with other entities, including a transit vehicle manufac-
23 turer, that intend to participate in the implementation of
24 a project under section 5339(c) of title 49, United States
25 Code, and a project awarded with such partnership shall

1 be treated as satisfying the requirement for a competitive
2 procurement under section 5325(a) of title 49, United
3 States Code, for the named entity.

4 SEC. 165. None of the funds made available by this
5 Act or any other Act shall be used to impede or hinder
6 project advancement or approval for any project seeking
7 a Federal contribution from the capital investment grant
8 program of greater than 40 percent of project costs as
9 authorized under section 5309 of title 49, United States
10 Code.

11 SEC. 166. Of the unobligated amounts made available
12 for prior fiscal years to Formula Grants in Treasury Ac-
13 count 69-X-1129, a total of \$6,734,356 are hereby per-
14 manently rescinded: *Provided*, That no amounts may be
15 rescinded from amounts that were designated by the Con-
16 gress as an emergency or disaster relief requirement pur-
17 suant to a concurrent resolution on the budget or the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985.

19 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
20 CORPORATION

21 The Great Lakes St. Lawrence Seaway Development
22 Corporation is hereby authorized to make such expendi-
23 tures, within the limits of funds and borrowing authority
24 available to the Corporation, and in accord with law, and
25 to make such contracts and commitments without regard

1 to fiscal year limitations, as provided by section 9104 of
2 title 31, United States Code, as may be necessary in car-
3 rying out the programs set forth in the Corporation's
4 budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE

6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses to conduct the operations,
8 maintenance, and capital infrastructure activities on por-
9 tions of the St. Lawrence Seaway owned, operated, and
10 maintained by the Great Lakes St. Lawrence Seaway De-
11 velopment Corporation, \$40,000,000, to be derived from
12 the Harbor Maintenance Trust Fund, pursuant to section
13 210 of the Water Resources Development Act of 1986 (33
14 U.S.C. 2238): *Provided*, That of the amounts made avail-
15 able under this heading, not more than \$14,500,000 shall
16 be for the seaway infrastructure program: *Provided fur-*
17 *ther*, That \$1,500,000 of the unobligated balances from
18 the amounts made available for capital asset renewal ac-
19 tivities under the heading “Saint Lawrence Seaway Devel-
20 opment Corporation—Operations and Maintenance” in
21 any prior Act may be used to conduct the operations and
22 maintenance of the Seaway International Bridge.

1 MARITIME ADMINISTRATION

2 MARITIME SECURITY PROGRAM

3 For necessary expenses to maintain and preserve a
4 U.S.-flag merchant fleet as authorized under chapter 531
5 of title 46, United States Code, to serve the national secu-
6 rity needs of the United States, \$318,000,000, to remain
7 available until expended.

8 CABLE SECURITY FLEET

9 For the cable security fleet program, as authorized
10 under chapter 532 of title 46, United States Code,
11 \$10,000,000, to remain available until expended.

12 TANKER SECURITY FLEET

13 For necessary expenses to establish and maintain a
14 fleet of United States-flagged product tank vessels as au-
15 thorized under chapter 534 of title 46, United States
16 Code, \$60,000,000, to remain available until expended:
17 *Provided*, That the amounts made available under this
18 heading shall become available on the effective date speci-
19 fied in section 3511(d)(1) of the William M. (Mac) Thorn-
20 berry National Defense Authorization Act for Fiscal Year
21 2021 (Public Law 116–283).

22 OPERATIONS AND TRAINING

23 For necessary expenses of operations and training ac-
24 tivities authorized by law, \$171,253,000: *Provided*, That
25 of the amounts made available under this heading—

1 (1) \$83,675,000, to remain available until Sep-
2 tember 30, 2023, shall be for the operations of the
3 United States Merchant Marine Academy;

4 (2) \$10,500,000, to remain available until ex-
5 pended, shall be for facilities maintenance and re-
6 pair, equipment, and capital improvements at the
7 United States Merchant Marine Academy;

8 (3) \$6,000,000, to remain available until Sep-
9 tember 30, 2023, shall be for the Maritime Environ-
10 mental and Technical Assistance program authorized
11 under section 50307 of title 46, United States Code:
12 *Provided*, That not less than \$4,000,000 shall be for
13 activities authorized under subparagraphs (A) and
14 (B) of section 50307(b)(1) of title 46, United States
15 Code, that reduce vessel and port air emissions; and

16 (4) \$14,819,000, to remain available until ex-
17 pended, shall be for the America's Marine Highway
18 Program to make grants for the purposes authorized
19 under paragraphs (1) and (3) of section 55601(b) of
20 title 46, United States Code: *Provided*, That the
21 Secretary shall give preference to those projects that
22 reduce air emissions and vehicle miles traveled:

23 *Provided further*, That the Administrator of the Maritime
24 Administration shall transmit to the House and Senate
25 Committees on Appropriations the annual report on sexual

1 assault and sexual harassment at the United States Mer-
2 chant Marine Academy as required pursuant to section
3 3510 of the National Defense Authorization Act for Fiscal
4 Year 2017 (46 U.S.C. 51318): *Provided further*, That
5 available balances under this heading for the Short Sea
6 Transportation Program (now known as the America's
7 Marine Highway Program) from prior year recoveries
8 shall be available to carry out activities authorized under
9 paragraphs (1) and (3) of section 55601(b) of title 46,
10 United States Code.

11 STATE MARITIME ACADEMY OPERATIONS

12 For necessary expenses of operations, support, and
13 training activities for State Maritime Academies,
14 \$363,300,000: *Provided*, That of the amounts made avail-
15 able under this heading—

16 (1) \$30,500,000, to remain available until ex-
17 pended, shall be for maintenance, repair, life exten-
18 sion, insurance, and capacity improvement of Na-
19 tional Defense Reserve Fleet training ships, and for
20 support of training ship operations at the State
21 Maritime Academies, of which not more than
22 \$8,000,000, to remain available until expended, shall
23 be for expenses related to training mariners; and for
24 costs associated with training vessel sharing pursu-
25 ant to section 51504(g)(3) of title 46, United States

1 Code, for costs associated with mobilizing, operating
2 and demobilizing the vessel, including travel costs
3 for students, faculty and crew, the costs of the gen-
4 eral agent, crew costs, fuel, insurance, operational
5 fees, and vessel hire costs, as determined by the Sec-
6 retary;

7 (2) \$320,600,000, to remain available until ex-
8 pended, shall be for the National Security Multi-Mis-
9 sion Vessel Program, including funds for construc-
10 tion, planning, administration, and design of school
11 ships;

12 (3) \$2,400,000, to remain available until Sep-
13 tember 30, 2026, shall be for the Student Incentive
14 Program;

15 (4) \$3,800,000, to remain available until ex-
16 pended, shall be for training ship fuel assistance;
17 and

18 (5) \$6,000,000, to remain available until Sep-
19 tember 30, 2023, shall be for direct payments for
20 State Maritime Academies.

21 ASSISTANCE TO SMALL SHIPYARDS

22 To make grants to qualified shipyards as authorized
23 under section 54101 of title 46, United States Code,
24 \$20,000,000, to remain available until expended.

1 SHIP DISPOSAL

2 For necessary expenses related to the disposal of ob-
3 solete vessels in the National Defense Reserve Fleet of the
4 Maritime Administration, \$7,508,000, to remain available
5 until expended.

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 For administrative expenses to carry out the guaran-
10 teed loan program, \$3,019,000, which shall be transferred
11 to and merged with the appropriations for “Maritime Ad-
12 ministration—Operations and Training”.

13 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

14 To make grants to improve port facilities as author-
15 ized under section 50302(c) of title 46, United States
16 Code, \$300,000,000, to remain available until expended:
17 *Provided*, That projects eligible for amounts made avail-
18 able under this heading shall be projects for coastal sea-
19 ports, inland river ports, or Great Lakes ports: *Provided*
20 *further*, That of the amounts made available under this
21 heading, not less than \$275,000,000 shall be for coastal
22 seaports or Great Lakes ports: *Provided further*, That the
23 Maritime Administration shall distribute amounts made
24 available under this heading as discretionary grants to
25 port authorities or commissions or their subdivisions and

1 agents under existing authority, as well as to a State or
2 political subdivision of a State or local government, a trib-
3 al government, a public agency or publicly chartered au-
4 thority established by one or more States, a special pur-
5 pose district with a transportation function, a multistate
6 or multijurisdictional group of entities, or a lead entity
7 described above jointly with a private entity or group of
8 private entities: *Provided further*, That projects eligible for
9 amounts made available under this heading shall be de-
10 signed to improve the safety, efficiency, or reliability of
11 the movement of goods into, out of, around, or within a
12 port and located—

13 (1) within the boundary of a port; or

14 (2) outside the boundary of a port, and directly
15 related to port operations, or to an intermodal con-
16 nection to a port:

17 *Provided further*, That projects eligible for amounts made
18 available under this heading shall be only for—

19 (1) port gate improvements;

20 (2) road improvements both within and con-
21 necting to the port;

22 (3) rail improvements both within and con-
23 necting to the port;

1 (4) berth improvements (including docks,
2 wharves, piers and dredging incidental to the im-
3 provement project);

4 (5) fixed landside improvements in support of
5 cargo operations (such as silos, elevators, conveyors,
6 container terminals, Ro/Ro structures including
7 parking garages necessary for intermodal freight
8 transfer, warehouses including refrigerated facilities,
9 lay-down areas, transit sheds, and other such facili-
10 ties);

11 (6) utilities necessary for safe operations (in-
12 cluding lighting, stormwater, and other such im-
13 provements that are incidental to a larger infrastruc-
14 ture project);

15 (7) facilities improvements that reduce port air
16 emissions and environmental impacts (such as elec-
17 trification of port facilities, electric vehicle charging,
18 zero emission vehicle infrastructure, alternative fuel
19 infrastructure, shorepower, and non-road vehicles,
20 engines, and other such facilities used in support of
21 cargo operations);

22 (8) construction activities that improve natural
23 disaster preparedness and resiliency (including miti-
24 gation and adaptation planning); or

25 (9) a combination of activities described above:

1 *Provided further*, That projects eligible for amounts made
2 available under this heading may not include the purchase
3 or installation of fully automated cargo handling equip-
4 ment or terminal infrastructure that is designed for fully
5 automated cargo handling equipment: *Provided further*,
6 That for the purposes of the preceding proviso, “fully
7 automated cargo handling equipment” means cargo han-
8 dling equipment that is remotely operated or remotely
9 monitored and does not require the exercise of human
10 intervention or control: *Provided further*, That a grant
11 award under this heading shall be not less than
12 \$1,000,000: *Provided further*, That the proceeds of Fed-
13 eral credit assistance under chapter 6 of title 23, United
14 States Code, or sections 501 through 504 of the Railroad
15 Revitalization and Regulatory Reform Act of 1976 (Public
16 Law 94–210) shall be considered to be part of the non-
17 Federal share of project costs if the loan is repayable from
18 non-Federal funds, unless otherwise requested.

19 ADMINISTRATIVE PROVISION—MARITIME

20 ADMINISTRATION

21 SEC. 170. Notwithstanding any other provision of
22 this Act, in addition to any existing authority, the Mari-
23 time Administration is authorized to furnish utilities and
24 services and make necessary repairs in connection with
25 any lease, contract, or occupancy involving Government

1 property under control of the Maritime Administration:
2 *Provided*, That payments received therefor shall be cred-
3 ited to the appropriation charged with the cost thereof and
4 shall remain available until expended: *Provided further*,
5 That rental payments under any such lease, contract, or
6 occupancy for items other than such utilities, services, or
7 repairs shall be deposited into the Treasury as miscella-
8 neous receipts.

9 PIPELINE AND HAZARDOUS MATERIALS SAFETY

10 ADMINISTRATION

11 OPERATIONAL EXPENSES

12 For necessary operational expenses of the Pipeline
13 and Hazardous Materials Safety Administration,
14 \$29,100,000, of which \$4,500,000 shall remain available
15 until September 30, 2024: *Provided*, That the Secretary
16 of Transportation shall issue a final rule on automatic and
17 remote-controlled shut-off valves and hazardous liquid
18 pipeline facilities leak detection systems as required under
19 section 4 and section 8 of the Pipeline Safety, Regulatory
20 Certainty, and Job Creation Act of 2011 (Public Law
21 112–90), respectively, not later than 90 days after the
22 date of enactment of this Act: *Provided further*, That the
23 amounts made available under this heading shall be re-
24 duced by \$5,000 per day for each day that such rule has

1 not been issued following the expiration of the deadline
2 set forth in the preceding proviso.

3 HAZARDOUS MATERIALS SAFETY

4 For expenses necessary to discharge the hazardous
5 materials safety functions of the Pipeline and Hazardous
6 Materials Safety Administration, \$66,391,500, to remain
7 available until September 30, 2024: *Provided*, That up to
8 \$800,000 in fees collected under section 5108(g) of title
9 49, United States Code, shall be deposited in the general
10 fund of the Treasury as offsetting receipts: *Provided fur-*
11 *ther*, That there may be credited to this appropriation, to
12 be available until expended, funds received from States,
13 counties, municipalities, other public authorities, and pri-
14 vate sources for expenses incurred for training, for reports
15 publication and dissemination, and for travel expenses in-
16 curred in performance of hazardous materials exemptions
17 and approvals functions.

18 PIPELINE SAFETY

19 (PIPELINE SAFETY FUND)

20 (OIL SPILL LIABILITY TRUST FUND)

21 For expenses necessary to carry out a pipeline safety
22 program, as authorized by section 60107 of title 49,
23 United States Code, and to discharge the pipeline program
24 responsibilities of the Oil Pollution Act of 1990 (Public
25 Law 101–380), \$182,650,000, to remain available until

1 September 30, 2024, of which \$27,650,000 shall be de-
2 rived from the Oil Spill Liability Trust Fund; of which
3 \$146,600,000 shall be derived from the Pipeline Safety
4 Fund; of which \$400,000 shall be derived from the fees
5 collected under section 60303 of title 49, United States
6 Code, and deposited in the Liquefied Natural Gas Siting
7 Account for compliance reviews of liquefied natural gas
8 facilities; and of which \$8,000,000 shall be derived from
9 fees collected under section 60302 of title 49, United
10 States Code, and deposited in the Underground Natural
11 Gas Storage Facility Safety Account for the purpose of
12 carrying out section 60141 of title 49, United States Code:
13 *Provided*, That not less than \$1,058,000 of the amounts
14 made available under this heading shall be for the One-
15 Call State grant program: *Provided further*, That any
16 amounts made available under this heading in this Act or
17 in prior Acts for research contracts, grants, cooperative
18 agreements or research other transactions agreements
19 (“OTAs”) shall require written notification to the House
20 and Senate Committees on Appropriations not less than
21 3 full business days before such research contracts, grants,
22 cooperative agreements, or research OTAs are announced
23 by the Department of Transportation: *Provided further*,
24 That the Secretary shall transmit to the House and Sen-
25 ate Committees on Appropriations the report on pipeline

1 safety testing enhancement as required pursuant to sec-
2 tion 105 of the Protecting our Infrastructure of Pipelines
3 and Enhancing Safety Act of 2020 (division R of Public
4 Law 116–260): *Provided further*, That the Secretary may
5 obligate amounts made available under this heading to en-
6 gineer, erect, alter, and repair buildings or make any other
7 public improvements for research facilities at the Trans-
8 portation Technology Center after the Secretary submits
9 an updated research plan and the report in the preceding
10 proviso to the House and Senate Committees on Appro-
11 priations and after such plan and report in the preceding
12 proviso are approved by the House and Senate Commit-
13 tees on Appropriations.

14 EMERGENCY PREPAREDNESS GRANTS

15 (LIMITATION ON OBLIGATIONS)

16 (EMERGENCY PREPAREDNESS FUND)

17 For expenses necessary to carry out the Emergency
18 Preparedness Grants program, not more than
19 \$28,318,000 shall remain available until September 30,
20 2024, from amounts made available by section 5116(h)
21 and subsections (b) and (c) of section 5128 of title 49,
22 United States Code: *Provided*, That notwithstanding sec-
23 tion 5116(h)(4) of title 49, United States Code, not more
24 than 4 percent of the amounts made available from this
25 account shall be available to pay administrative costs of

1 carrying out sections 5116, 5107(e), and 5108(g)(2) of
2 title 49, United States Code: *Provided further*, That not-
3 withstanding subsections (b) and (c) of section 5128 of
4 title 49, United States Code, and the limitation on obliga-
5 tions provided under this heading, prior year recoveries
6 recognized in the current year shall be available to develop
7 and deliver hazardous materials emergency response train-
8 ing for emergency responders, including response activities
9 for the transportation of crude oil, ethanol, flammable liq-
10 uids, and other hazardous commodities by rail, consistent
11 with National Fire Protection Association standards, and
12 to make such training available through an electronic for-
13 mat: *Provided further*, That the prior year recoveries made
14 available under this heading shall also be available to carry
15 out sections 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e)
16 of title 49, United States Code.

17 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Inspector
20 General to carry out the provisions of the Inspector Gen-
21 eral Act of 1978, as amended, \$103,150,000: *Provided*,
22 That the Inspector General shall have all necessary au-
23 thority, in carrying out the duties specified in the Inspec-
24 tor General Act, as amended (5 U.S.C. App. 3), to inves-
25 tigate allegations of fraud, including false statements to

1 the government (18 U.S.C. 1001), by any person or entity
2 that is subject to regulation by the Department of Trans-
3 portation.

4 GENERAL PROVISIONS—DEPARTMENT OF
5 TRANSPORTATION

6 SEC. 180. (a) During the current fiscal year, applica-
7 ble appropriations to the Department of Transportation
8 shall be available for maintenance and operation of air-
9 craft; hire of passenger motor vehicles and aircraft; pur-
10 chase of liability insurance for motor vehicles operating
11 in foreign countries on official department business; and
12 uniforms or allowances therefor, as authorized by sections
13 5901 and 5902 of title 5, United States Code.

14 (b) During the current fiscal year, applicable appro-
15 priations to the Department and its operating administra-
16 tions shall be available for the purchase, maintenance, op-
17 eration, and deployment of unmanned aircraft systems
18 that advance the missions of the Department of Transpor-
19 tation or an operating administration of the Department
20 of Transportation.

21 (c) Any unmanned aircraft system purchased, pro-
22 cured, or contracted for by the Department prior to the
23 date of enactment of this Act shall be deemed authorized
24 by Congress as if this provision was in effect when the
25 system was purchased, procured, or contracted for.

1 SEC. 181. Appropriations contained in this Act for
2 the Department of Transportation shall be available for
3 services as authorized by section 3109 of title 5, United
4 States Code, but at rates for individuals not to exceed the
5 per diem rate equivalent to the rate for an Executive Level
6 IV.

7 SEC. 182. (a) No recipient of amounts made available
8 by this Act shall disseminate personal information (as de-
9 fined in section 2725(3) of title 18, United States Code)
10 obtained by a State department of motor vehicles in con-
11 nection with a motor vehicle record as defined in section
12 2725(1) of title 18, United States Code, except as pro-
13 vided in section 2721 of title 18, United States Code, for
14 a use permitted under section 2721 of title 18, United
15 States Code.

16 (b) Notwithstanding subsection (a), the Secretary
17 shall not withhold amounts made available by this Act for
18 any grantee if a State is in noncompliance with this provi-
19 sion.

20 SEC. 183. None of the funds made available by this
21 Act shall be available for salaries and expenses of more
22 than 125 political and Presidential appointees in the De-
23 partment of Transportation: *Provided*, That none of the
24 personnel covered by this provision may be assigned on

1 temporary detail outside the Department of Transpor-
2 tation.

3 SEC. 184. Funds received by the Federal Highway
4 Administration and Federal Railroad Administration from
5 States, counties, municipalities, other public authorities,
6 and private sources for expenses incurred for training may
7 be credited respectively to the Federal Highway Adminis-
8 tration's "Federal-Aid Highways" account and to the Fed-
9 eral Railroad Administration's "Safety and Operations"
10 account, except for State rail safety inspectors partici-
11 pating in training pursuant to section 20105 of title 49,
12 United States Code.

13 SEC. 185. None of the funds made available by this
14 Act to the Department of Transportation may be used to
15 make a loan, loan guarantee, line of credit, letter of intent,
16 federally funded cooperative agreement, full funding grant
17 agreement, or discretionary grant unless the Secretary of
18 Transportation notifies the House and Senate Committees
19 on Appropriations not less than 3 full business days before
20 any project competitively selected to receive any discre-
21 tionary grant award, letter of intent, loan commitment,
22 loan guarantee commitment, line of credit commitment,
23 federally funded cooperative agreement, or full funding
24 grant agreement is announced by the Department or its
25 operating administrations: *Provided*, That the Secretary

1 of Transportation shall provide the House and Senate
2 Committees on Appropriations with a comprehensive list
3 of all such loans, loan guarantees, lines of credit, letters
4 of intent, federally funded cooperative agreements, full
5 funding grant agreements, and discretionary grants prior
6 to the notification required under the preceding proviso:
7 *Provided further*, That the Secretary gives concurrent noti-
8 fication to the House and Senate Committees on Appro-
9 priations for any “quick release” of funds from the emer-
10 gency relief program: *Provided further*, That no notifica-
11 tion shall involve funds that are not available for obliga-
12 tion.

13 SEC. 186. Rebates, refunds, incentive payments,
14 minor fees, and other funds received by the Department
15 of Transportation from travel management centers,
16 charge card programs, the subleasing of building space,
17 and miscellaneous sources are to be credited to appropria-
18 tions of the Department of Transportation and allocated
19 to organizational units of the Department of Transpor-
20 tation using fair and equitable criteria and such funds
21 shall be available until expended.

22 SEC. 187. Notwithstanding any other provision of
23 law, if any funds provided by or limited by this Act are
24 subject to a reprogramming action that requires notice to
25 be provided to the House and Senate Committees on Ap-

1 appropriations, transmission of such reprogramming notice
2 shall be provided solely to the House and Senate Commit-
3 tees on Appropriations, and such reprogramming action
4 shall be approved or denied solely by the House and Sen-
5 ate Committees on Appropriations: *Provided*, That the
6 Secretary of Transportation may provide notice to other
7 congressional committees of the action of the House and
8 Senate Committees on Appropriations on such reprogram-
9 ming but not sooner than 30 days after the date on which
10 the reprogramming action has been approved or denied by
11 the House and Senate Committees on Appropriations.

12 SEC. 188. Funds appropriated by this Act to the op-
13 erating administrations may be obligated for the Office of
14 the Secretary for the costs related to assessments or reim-
15 bursable agreements only when such amounts are for the
16 costs of goods and services that are purchased to provide
17 a direct benefit to the applicable operating administration
18 or administrations.

19 SEC. 189. The Secretary of Transportation is author-
20 ized to carry out a program that establishes uniform
21 standards for developing and supporting agency transit
22 pass and transit benefits authorized under section 7905
23 of title 5, United States Code, including distribution of
24 transit benefits by various paper and electronic media.

1 SEC. 190. The Department of Transportation may
2 use funds provided by this Act, or any other Act, to assist
3 a contract under title 49 or 23 of the United States Code
4 utilizing geographic, economic, or any other hiring pref-
5 erence not otherwise authorized by law, or to amend a
6 rule, regulation, policy or other measure that forbids a re-
7 cipient of a Federal Highway Administration or Federal
8 Transit Administration grant from imposing such hiring
9 preference on a contract or construction project with
10 which the Department of Transportation is assisting, only
11 if the grant recipient certifies the following:

12 (1) that except with respect to apprentices or
13 trainees, a pool of readily available but unemployed
14 individuals possessing the knowledge, skill, and abil-
15 ity to perform the work that the contract requires
16 resides in the jurisdiction;

17 (2) that the grant recipient will include appro-
18 priate provisions in its bid document ensuring that
19 the contractor does not displace any of its existing
20 employees in order to satisfy such hiring preference;
21 and

22 (3) that any increase in the cost of labor, train-
23 ing, or delays resulting from the use of such hiring
24 preference does not delay or displace any transpor-
25 tation project in the applicable Statewide Transpor-

1 tation Improvement Program or Transportation Im-
2 provement Program.

3 SEC. 191. The Secretary of Transportation shall co-
4 ordinate with the Secretary of Homeland Security to en-
5 sure that best practices for Industrial Control Systems
6 Procurement are up-to-date and shall ensure that systems
7 procured with funds provided under this title were pro-
8 cured using such practices.

9 This title may be cited as the “Department of Trans-
10 portation Appropriations Act, 2022”.

11 TITLE II

12 DEPARTMENT OF HOUSING AND URBAN

13 DEVELOPMENT

14 MANAGEMENT AND ADMINISTRATION

15 EXECUTIVE OFFICES

16 For necessary salaries and expenses for Executive Of-
17 fices, which shall be comprised of the offices of the Sec-
18 retary, Deputy Secretary, Adjudicatory Services, Congres-
19 sional and Intergovernmental Relations, Public Affairs,
20 Small and Disadvantaged Business Utilization, and the
21 Center for Faith-Based and Neighborhood Partnerships,
22 \$15,000,000, to remain available until September 30,
23 2023: *Provided*, That not to exceed \$25,000 of the amount
24 made available under this heading shall be available to the
25 Secretary of Housing and Urban Development (referred

1 to in this title as the “Secretary”) for official reception
2 and representation expenses as the Secretary may deter-
3 mine.

4 ADMINISTRATIVE SUPPORT OFFICES

5 For necessary salaries and expenses for Administra-
6 tive Support Offices, \$594,418,000, to remain available
7 until September 30, 2023: *Provided*, That of the sums ap-
8 propriated under this heading—

9 (1) \$77,906,000 shall be available for the Office
10 of the Chief Financial Officer;

11 (2) \$112,274,000 shall be available for the Of-
12 fice of the General Counsel, of which not less than
13 \$20,000,000 shall be for the Departmental Enforce-
14 ment Center;

15 (3) \$276,843,000 shall be available for the Of-
16 fice of the Assistant Secretary for Administration
17 (which includes the Office of Administration, the Of-
18 fice of the Chief Human Capital Officer, and the Of-
19 fice of the Chief Procurement Officer), of which not
20 more than \$5,143,000 may be for modernization and
21 deferred maintenance of the Weaver Building;

22 (4) \$59,652,000 shall be available for the Office
23 of Field Policy and Management;

(5) \$4,300,000 shall be available for the Office
of Departmental Equal Employment Opportunity;
and

4 (6) \$63,443,000 shall be available for the Office
5 of the Chief Information Officer:

6 *Provided further*, That funds made available under this
7 heading may be used for necessary administrative and
8 non-administrative expenses of the Department, not other-
9 wise provided for, including purchase of uniforms, or al-
10 lowances therefor, as authorized by sections 5901 and
11 5902 of title 5, United States Code; hire of passenger
12 motor vehicles; and services as authorized by section 3109
13 of title 5, United States Code: *Provided further*, That not-
14 withstanding any other provision of law, funds appro-
15 priated under this heading may be used for advertising
16 and promotional activities that directly support program
17 activities funded in this title: *Provided further*, That the
18 Secretary shall provide the House and Senate Committees
19 on Appropriations quarterly written notification regarding
20 the status of pending congressional reports: *Provided fur-*
21 *ther*, That the Secretary shall provide in electronic form
22 all signed reports required by Congress.

23 PROGRAM OFFICES

24 For necessary salaries and expenses for Program Of-
25 fices, \$950,329,000, to remain available until September

1 30, 2023: *Provided*, That of the sums appropriated under
2 this heading—

3 (1) \$258,896,000 shall be available for the Of-
4 fice of Public and Indian Housing, of which not less
5 than \$39,000,000 shall be for the Office of Native
6 American Programs;

7 (2) \$142,381,000 shall be available for the Of-
8 fice of Community Planning and Development;

9 (3) \$412,703,000 shall be available for the Of-
10 fice of Housing, of which not less than \$13,300,000
11 shall be for the Office of Recapitalization;

12 (4) \$37,320,000 shall be available for the Office
13 of Policy Development and Research;

14 (5) \$88,726,000 shall be available for the Office
15 of Fair Housing and Equal Opportunity; and

16 (6) \$10,303,000 shall be available for the Office
17 of Lead Hazard Control and Healthy Homes.

18 WORKING CAPITAL FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For the working capital fund for the Department of
21 Housing and Urban Development (referred to in this para-
22 graph as the “Fund”), pursuant, in part, to section 7(f)
23 of the Department of Housing and Urban Development
24 Act (42 U.S.C. 3535(f)), amounts transferred, including
25 reimbursements pursuant to section 7(f), to the Fund

1 under this heading shall be available only for Federal
2 shared services used by offices and agencies of the Depart-
3 ment, and for any such portion of any office or agency's
4 printing, records management, space renovation, fur-
5 niture, or supply services the Secretary has determined
6 shall be provided through the Fund, and the operational
7 expenses of the Fund: *Provided*, That amounts within the
8 Fund shall not be available to provide services not specifi-
9 cally authorized under this heading: *Provided further*,
10 That upon a determination by the Secretary that any
11 other service (or portion thereof) authorized under this
12 heading shall be provided through the Fund, amounts
13 made available in this title for salaries and expenses under
14 the headings "Executive Offices", "Administrative Sup-
15 port Offices", "Program Offices", and "Government Na-
16 tional Mortgage Association", for such services shall be
17 transferred to the Fund, to remain available until ex-
18 pended: *Provided further*, That the Secretary shall notify
19 the House and Senate Committees on Appropriations of
20 its plans for executing such transfers at least 15 days in
21 advance of such transfers.

22 PUBLIC AND INDIAN HOUSING

23 TENANT-BASED RENTAL ASSISTANCE

24 For activities and assistance for the provision of ten-
25 ant-based rental assistance authorized under the United

1 States Housing Act of 1937, as amended (42 U.S.C. 1437
2 et seq.) (in this title “the Act”), not otherwise provided
3 for, \$25,215,714,000, to remain available until expended,
4 which shall be available on October 1, 2021 (in addition
5 to the \$4,000,000,000 previously appropriated under this
6 heading that shall be available on October 1, 2021), and
7 \$4,000,000,000, to remain available until expended, which
8 shall be available on October 1, 2022: *Provided*, That the
9 amounts made available under this heading are provided
10 as follows:

11 (1) \$24,950,926,000 shall be available for re-
12 newals of expiring section 8 tenant-based annual
13 contributions contracts (including renewals of en-
14 hanced vouchers under any provision of law author-
15 izing such assistance under section 8(t) of the Act)
16 and including renewal of other special purpose incre-
17 mental vouchers: *Provided*, That notwithstanding
18 any other provision of law, from amounts provided
19 under this paragraph and any carryover, the Sec-
20 retary for the calendar year 2022 funding cycle shall
21 provide renewal funding for each public housing
22 agency based on validated voucher management sys-
23 tem (VMS) leasing and cost data for the prior cal-
24 endar year and by applying an inflation factor as es-
25 tablished by the Secretary, by notice published in

1 the Federal Register, and by making any necessary
2 adjustments for the costs associated with the first-
3 time renewal of vouchers under this paragraph, in-
4 cluding tenant protection and Choice Neighborhoods
5 vouchers: *Provided further*, That costs associated
6 with any foregone increases in tenant rent payments
7 due to the implementation of rent incentives as au-
8 thorized pursuant to waivers or alternative require-
9 ments of the Jobs-Plus initiative as described under
10 the heading “Self-Sufficiency Programs” shall be re-
11 newed: *Provided further*, That funds provided under
12 this paragraph in this Act and prior Acts may be
13 used to fund a total number of unit months under
14 lease which exceeds a public housing agency’s au-
15 thorized level of units under contract, except for
16 public housing agencies participating in the Moving
17 to Work (MTW) demonstration, which are instead
18 governed in accordance with the requirements of the
19 MTW demonstration program or their MTW agree-
20 ments, if any: *Provided further*, That amounts
21 repurposed pursuant to the preceding proviso that
22 were previously designated by the Congress as an
23 emergency requirement pursuant to the Balanced
24 Budget and Emergency Deficit Control Act of 1985
25 or a concurrent resolution on the budget are des-

1 ignated by the Congress as an emergency require-
2 ment pursuant to section 1(f), or as being for dis-
3 aster relief pursuant to section 1(g), respectively, of
4 H. Res. 467 as engrossed in the House of Rep-
5 resentatives on June 14, 2021: *Provided further*,
6 That the Secretary shall, to the extent necessary to
7 stay within the amount specified under this para-
8 graph (except as otherwise modified under this para-
9 graph), prorate each public housing agency's alloca-
10 tion otherwise established pursuant to this para-
11 graph: *Provided further*, That except as provided in
12 the following provisos, the entire amount specified
13 under this paragraph (except as otherwise modified
14 under this paragraph) shall be obligated to the pub-
15 lic housing agencies based on the allocation and pro
16 rata method described above, and the Secretary shall
17 notify public housing agencies of their annual budget
18 by the latter of 60 days after enactment of this Act
19 or March 1, 2022: *Provided further*, That the Sec-
20 retary may extend the notification period with the
21 prior written approval of the House and Senate
22 Committees on Appropriations: *Provided further*,
23 That public housing agencies participating in the
24 MTW demonstration shall be funded in accordance
25 with the requirements of the MTW demonstration

1 program or their MTW agreements, if any, and shall
2 be subject to the same pro rata adjustments under
3 the previous provisos: *Provided further*, That the
4 Secretary may offset public housing agencies' cal-
5 endar year 2022 allocations based on the excess
6 amounts of public housing agencies' net restricted
7 assets accounts, including HUD-held programmatic
8 reserves (in accordance with VMS data in calendar
9 year 2021 that is verifiable and complete), as deter-
10 mined by the Secretary: *Provided further*, That pub-
11 lic housing agencies participating in the MTW dem-
12 onstration shall also be subject to the offset, as de-
13 termined by the Secretary, excluding amounts sub-
14 ject to the single fund budget authority provisions of
15 their MTW agreements, from the agencies' calendar
16 year 2022 MTW funding allocation: *Provided fur-*
17 *ther*, That the Secretary shall use any offset referred
18 to in the previous two provisos throughout the cal-
19 endar year to prevent the termination of rental as-
20 sistance for families as the result of insufficient
21 funding, as determined by the Secretary, and to
22 avoid or reduce the proration of renewal funding al-
23 locations: *Provided further*, That up to \$100,000,000
24 shall be available only: (1) for adjustments in the al-
25 locations for public housing agencies, after applica-

1 tion for an adjustment by a public housing agency
2 that experienced a significant increase, as deter-
3 mined by the Secretary, in renewal costs of vouchers
4 (including Mainstream vouchers) resulting from un-
5 foreseen circumstances or from portability under
6 section 8(r) of the Act; (2) for vouchers that were
7 not in use during the previous 12-month period in
8 order to be available to meet a commitment pursu-
9 ant to section 8(o)(13) of the Act, or an adjustment
10 for a funding obligation not yet expended in the pre-
11 vious calendar year for a MTW-eligible activity to
12 develop affordable housing for an agency added to
13 the MTW demonstration under the expansion au-
14 thority provided in section 239 of the Transpor-
15 tation, Housing and Urban Development, and Re-
16 lated Agencies Appropriations Act, 2016 (division L
17 of Public Law 114–113); (3) for adjustments for
18 costs associated with HUD–Veterans Affairs Sup-
19 portive Housing (HUD–VASH) vouchers; (4) for
20 public housing agencies that despite taking reason-
21 able cost savings measures, as determined by the
22 Secretary, would otherwise be required to terminate
23 rental assistance for families, including Mainstream
24 families, as a result of insufficient funding; (5) for
25 adjustments in the allocations for public housing

1 agencies that (i) are leasing a lower-than-average
2 percentage of their authorized vouchers, (ii) have low
3 amounts of budget authority in their net restricted
4 assets accounts and HUD-held programmatic re-
5 serves, relative to other agencies, and (iii) are not
6 participating in the Moving to Work demonstration,
7 to enable such agencies to lease more vouchers; and
8 (6) for public housing agencies that have experi-
9 enced increased costs or loss of units in an area for
10 which the President declared a disaster under title
11 IV of the Robert T. Stafford Disaster Relief and
12 Emergency Assistance Act (42 U.S.C. 5170 et seq.):
13 *Provided further*, That the Secretary shall allocate
14 amounts under the previous proviso based on need,
15 as determined by the Secretary;

16 (2) \$100,000,000 shall be for section 8 rental
17 assistance for relocation and replacement of housing
18 units that are demolished or disposed of pursuant to
19 section 18 of the Act, conversion of section 23
20 projects to assistance under section 8, the family
21 unification program under section 8(x) of the Act,
22 relocation of witnesses (including victims of violent
23 crimes) in connection with efforts to combat crime
24 in public and assisted housing pursuant to a request
25 from a law enforcement or prosecution agency, en-

1 hanced vouchers under any provision of law author-
2 izing such assistance under section 8(t) of the Act,
3 Choice Neighborhood vouchers, mandatory and vol-
4 untary conversions, and tenant protection assistance
5 including replacement and relocation assistance or
6 for project-based assistance to prevent the displace-
7 ment of unassisted elderly tenants currently residing
8 in section 202 properties financed between 1959 and
9 1974 that are refinanced pursuant to Public Law
10 106–569, as amended, or under the authority as
11 provided under this Act: *Provided*, That of the
12 amounts made available under this paragraph, up to
13 \$10,000,000 shall be available to provide public
14 housing agencies with enhanced vouchers for fami-
15 lies residing in State-assisted projects financed be-
16 tween 1970 and 1979 that were subject to a use
17 agreement under the Low-Income Housing Preserva-
18 tion and Resident Homeownership Act of 1990 (title
19 VI of Public Law 101–625; LIHPRHA) or the
20 Emergency Low Income Housing Preservation Act
21 of 1987 (title II of Public Law 100–242; ELIHPA)
22 on the date the affordability protections at such
23 projects expire or terminate during calendar years
24 2021 and 2022: *Provided further*, That the State
25 housing finance agency shall submit the request to

1 the Secretary for enhanced vouchers for families re-
2 siding in such eligible State-assisted projects no
3 later than the latter of 120 days prior to the expira-
4 tion or termination of affordability protections at
5 such projects or 120 days after enactment of this
6 Act: *Provided further*, That such enhanced vouchers
7 shall not be considered replacement vouchers: *Pro-*
8 *vided further*, That when a public housing develop-
9 ment is submitted for demolition or disposition
10 under section 18 of the Act, the Secretary shall pro-
11 vide section 8 rental assistance when the units pose
12 an imminent health and safety risk to residents:
13 *Provided further*, That the Secretary may provide
14 section 8 rental assistance from amounts made
15 available under this paragraph for units assisted
16 under a project-based subsidy contract funded under
17 the “Project-Based Rental Assistance” heading
18 under this title where the owner has received a No-
19 tice of Default and the units pose an imminent
20 health and safety risk to residents: *Provided further*,
21 That to the extent that the Secretary determines
22 that such units are not feasible for continued rental
23 assistance payments or transfer of the subsidy con-
24 tract associated with such units to another project
25 or projects and owner or owners, any remaining

1 amounts associated with such units under such con-
2 tract shall be recaptured and such recaptured
3 amounts, in an amount equal to the cost of rental
4 assistance provided pursuant to the previous proviso,
5 up to the total amounts recaptured, shall be trans-
6 ferred to and merged with amounts used under this
7 paragraph: *Provided further*, That of the amounts
8 made available under this paragraph, no less than
9 \$5,000,000 may be available to provide tenant pro-
10 tection assistance, not otherwise provided under this
11 paragraph, to residents residing in low vacancy
12 areas and who may have to pay rents greater than
13 30 percent of household income, as the result of: (A)
14 the maturity of a HUD-insured, HUD-held, or sec-
15 tion 202 loan that requires the permission of the
16 Secretary prior to loan prepayment; (B) the expira-
17 tion of a rental assistance contract for which the
18 tenants are not eligible for enhanced voucher or ten-
19 ant protection assistance under existing law; or (C)
20 the expiration of affordability restrictions accom-
21 panying a mortgage or preservation program admin-
22 istered by the Secretary: *Provided further*, That such
23 tenant protection assistance made available under
24 the previous proviso may be provided under the au-
25 thority of section 8(t) or section 8(o)(13) of the

1 United States Housing Act of 1937 (42 U.S.C.
2 1437f(t)): *Provided further*, That the Secretary shall
3 issue guidance to implement the previous provisos,
4 including, but not limited to, requirements for defin-
5 ing eligible at-risk households not later than 60 days
6 after the date of enactment of this Act: *Provided*
7 *further*, That any tenant protection voucher made
8 available from amounts under this paragraph shall
9 not be reissued by any public housing agency, except
10 the replacement vouchers as defined by the Sec-
11 retary by notice, when the initial family that re-
12 ceived any such voucher no longer receives such
13 voucher, and the authority for any public housing
14 agency to issue any such voucher shall cease to exist:
15 *Provided further*, That the Secretary may only pro-
16 vide replacement vouchers for units that were occu-
17 pied within the previous 24 months that cease to be
18 available as assisted housing, subject only to the
19 availability of funds;

20 (3) \$2,469,535,000 shall be for administrative
21 and other expenses of public housing agencies in ad-
22 ministering the section 8 tenant-based rental assist-
23 ance program, of which up to \$10,000,000 shall be
24 available to the Secretary to allocate to public hous-
25 ing agencies that need additional funds to admin-

1 ister their section 8 programs, including fees associ-
2 ated with section 8 tenant protection rental assist-
3 ance, the administration of disaster related vouchers,
4 HUD–VASH vouchers, and other special purpose in-
5 cremental vouchers: *Provided*, That no less than
6 \$2,459,535,000 of the amount provided in this para-
7 graph shall be allocated to public housing agencies
8 for the calendar year 2022 funding cycle based on
9 section 8(q) of the Act (and related Appropriation
10 Act provisions) as in effect immediately before the
11 enactment of the Quality Housing and Work Re-
12 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
13 *vided further*, That if the amounts made available
14 under this paragraph are insufficient to pay the
15 amounts determined under the previous proviso, the
16 Secretary may decrease the amounts allocated to
17 agencies by a uniform percentage applicable to all
18 agencies receiving funding under this paragraph or
19 may, to the extent necessary to provide full payment
20 of amounts determined under the previous proviso,
21 utilize unobligated balances, including recaptures
22 and carryover, remaining from funds appropriated to
23 the Department of Housing and Urban Development
24 under this heading from prior fiscal years, excluding
25 special purpose vouchers, notwithstanding the pur-

1 poses for which such amounts were appropriated:
2 *Provided further*, That all public housing agencies
3 participating in the MTW demonstration shall be
4 funded in accordance with the requirements of the
5 MTW demonstration program or their MTW agree-
6 ments, if any, and shall be subject to the same uni-
7 form percentage decrease as under the previous pro-
8 viso: *Provided further*, That amounts provided under
9 this paragraph shall be only for activities related to
10 the provision of tenant-based rental assistance au-
11 thorized under section 8, including related develop-
12 ment activities;

13 (4) \$500,253,000 shall be for the renewal of
14 tenant-based assistance contracts under section 811
15 of the Cranston-Gonzalez National Affordable Hous-
16 ing Act (42 U.S.C. 8013), including necessary ad-
17 ministrative expenses: *Provided*, That administrative
18 and other expenses of public housing agencies in ad-
19 ministering the special purpose vouchers in this
20 paragraph shall be funded under the same terms
21 and be subject to the same pro rata reduction as the
22 percent decrease for administrative and other ex-
23 penses to public housing agencies under paragraph
24 (3) of this heading: *Provided further*, That up to
25 \$10,000,000 shall be available only for (1) adjust-

1 ments in the allocation for public housing agencies,
2 after applications for an adjustment by a public
3 housing agency that experienced a significant in-
4 crease, as determined by the Secretary, in Main-
5 stream renewal costs resulting from unforeseen cir-
6 cumstances, and (2) public housing agencies that de-
7 spite taking reasonable cost saving measures, as de-
8 termined by the Secretary, would otherwise be re-
9 quired to terminate the rental assistance for Main-
10 stream families as a result of insufficient funding:
11 *Provided further*, That the Secretary shall allocate
12 amounts under the previous proviso based on need,
13 as determined by the Secretary: *Provided further*,
14 That of the amounts made available under this para-
15 graph, up to \$5,000,000 shall be available for a pilot
16 program for public housing agencies that partner
17 with administering entities under the Projects for
18 Assistance in Transition from Homelessness
19 (PATH) program as authorized by the Stewart B.
20 McKinney Homeless Assistance Amendments Act of
21 1990 or other eligible entities, as determined by the
22 Secretary, to assist persons with serious mental ill-
23 ness: *Provided further*, That the amounts made
24 available in the previous proviso shall be for incre-
25 mental rental voucher assistance, including project-

1 based vouchers, under such section 811 for non-el-
2 derly persons with serious mental illness, and for ad-
3 ministrative and other expenses of public housing
4 agencies: *Provided further*, That in awarding assist-
5 ance under such pilot program the Secretary may
6 give bonus points to public housing agencies giving
7 preference to individuals referred from the Coordi-
8 nated Entry System (CES) or operating a Family
9 Self-Sufficiency program: *Provided further*, That in
10 administering such pilot program, the Secretary may
11 waive, or specify alternative requirements for, any
12 provision of any statute or regulation that the Sec-
13 retary administers in connection with the use of
14 funds made available under such pilot (except for re-
15 quirements related to fair housing, nondiscrimina-
16 tion, labor standards, and the environment), upon a
17 finding by the Secretary that any such waivers or al-
18 ternative requirements are necessary for the effective
19 delivery and administration of such voucher assist-
20 ance: *Provided further*, That upon turnover, section
21 811 special purpose vouchers funded under this
22 heading in this or prior Acts, or under any other
23 heading in prior Acts, shall be provided to non-elder-
24 ly persons with disabilities;

1 (5) Of the amounts provided under paragraph
2 (1) up to \$5,000,000 shall be for rental assistance
3 and associated administrative fees for Tribal HUD–
4 VASH to serve Native American veterans that are
5 homeless or at-risk of homelessness living on or near
6 a reservation or other Indian areas: *Provided*, That
7 such amount shall be made available for renewal
8 grants to recipients that received assistance under
9 prior Acts under the Tribal HUD–VASH program:
10 *Provided further*, That the Secretary shall be author-
11 ized to specify criteria for renewal grants, including
12 data on the utilization of assistance reported by
13 grant recipients: *Provided further*, That such assist-
14 ance shall be administered in accordance with pro-
15 gram requirements under the Native American
16 Housing Assistance and Self-Determination Act of
17 1996 and modeled after the HUD–VASH program:
18 *Provided further*, That the Secretary shall be author-
19 ized to waive, or specify alternative requirements for
20 any provision of any statute or regulation that the
21 Secretary administers in connection with the use of
22 funds made available under this paragraph (except
23 for requirements related to fair housing, non-
24 discrimination, labor standards, and the environ-
25 ment), upon a finding by the Secretary that any

1 such waivers or alternative requirements are nec-
2 essary for the effective delivery and administration
3 of such assistance: *Provided further*, That grant re-
4 cipients shall report to the Secretary on utilization
5 of such rental assistance and other program data, as
6 prescribed by the Secretary: *Provided further*, That
7 the Secretary may reallocate, as determined by the
8 Secretary, amounts returned or recaptured from
9 awards under the Tribal HUD-VASH program
10 under prior Acts to existing recipients under the
11 Tribal HUD-VASH program;

12 (6) \$20,000,000 shall be for incremental rental
13 voucher assistance for use through a supported
14 housing program administered in conjunction with
15 the Department of Veterans Affairs as authorized
16 under section 8(o)(19) of the United States Housing
17 Act of 1937: *Provided*, That the Secretary of Hous-
18 ing and Urban Development shall make such fund-
19 ing available, notwithstanding section 203 (competi-
20 tion provision) of this title, to public housing agen-
21 cies that partner with eligible VA Medical Centers or
22 other entities as designated by the Secretary of Vet-
23 erans Affairs, based on geographical need for such
24 assistance as identified by the Secretary of Veterans
25 Affairs, public housing agency administrative per-

1 formance, and other factors as specified by the Sec-
2 retary of Housing and Urban Development in con-
3 sultation with the Secretary of Veterans Affairs:
4 *Provided further*, That of the amounts made avail-
5 able under this paragraph, up to \$5,000,000 may be
6 allocated to public housing agencies administering
7 temporary case management and supportive services
8 to HUD–VASH eligible veterans that have not yet
9 received a referral from the Department of Veterans
10 Affairs: *Provided further*, That the Secretary of
11 Housing and Urban Development may waive, or
12 specify alternative requirements for (in consultation
13 with the Secretary of Veterans Affairs), any provi-
14 sion of any statute or regulation that the Secretary
15 of Housing and Urban Development administers in
16 connection with the use of funds made available
17 under this paragraph (except for requirements re-
18 lated to fair housing, nondiscrimination, labor stand-
19 ards, and the environment), upon a finding by the
20 Secretary that any such waivers or alternative re-
21 quirements are necessary for the effective delivery
22 and administration of such voucher assistance: *Pro-*
23 *vided further*, That assistance made available under
24 this paragraph shall continue to remain available for
25 homeless veterans upon turn-over;

1 (7) \$25,000,000 shall be made available for the
2 family unification program as authorized under sec-
3 tion 8(x) of the Act: *Provided*, That the amounts
4 made available under this paragraph are provided as
5 follows:

6 (A) \$5,000,000 shall be for new incre-
7 mental voucher assistance: *Provided*, That the
8 assistance made available under this subpara-
9 graph shall continue to remain available for
10 family unification upon turnover; and

11 (B) \$20,000,000 shall be for new incre-
12 mental voucher assistance to assist eligible
13 youth as defined by such section 8(x)(2)(B) of
14 the Act: *Provided*, That assistance made avail-
15 able under this subparagraph shall continue to
16 remain available for such eligible youth upon
17 turnover: *Provided further*, That of the total
18 amount made available under this subpara-
19 graph, up to \$10,000,000 shall be available on
20 a noncompetitive basis to public housing agen-
21 cies that partner with public child welfare agen-
22 cies to identify such eligible youth, that request
23 such assistance to timely assist such eligible
24 youth, and that meet any other criteria as spec-
25 ified by the Secretary: *Provided further*, That

1 the Secretary shall review utilization of the as-
2 sistance made available under the previous pro-
3 viso, at an interval to be determined by the Sec-
4 retary, and unutilized voucher assistance that is
5 no longer needed shall be recaptured by the
6 Secretary and reallocated pursuant to the pre-
7 vious proviso:

8 *Provided further*, That for any public housing agency
9 administering voucher assistance appropriated in a
10 prior Act under the family unification program, or
11 made available and competitively selected under this
12 paragraph, that determines that it no longer has an
13 identified need for such assistance upon turnover,
14 such agency shall notify the Secretary, and the Sec-
15 retary shall recapture such assistance from the agen-
16 cy and reallocate it to any other public housing
17 agency or agencies based on need for voucher assist-
18 ance in connection with such specified program or
19 eligible youth, as applicable;

20 (8) \$1,000,000,000 shall be made available for
21 new incremental voucher assistance under section
22 8(o) of the United States Housing Act of 1937 to
23 be allocated pursuant to a method, as determined by
24 the Secretary, which may include a formula that
25 may include such factors as severe cost burden, over-

1 crowding, substandard housing for very low-income
2 renters, homelessness, and administrative capacity,
3 where such allocation method shall include both
4 rural and urban areas: *Provided*, That the Secretary
5 may specify additional terms and conditions to en-
6 sure that public housing agencies provide vouchers
7 for use by survivors of domestic violence, or individ-
8 uals and families who are homeless, as defined in
9 section 103(a) of the McKinney-Vento Homeless As-
10 sistance Act (42 U.S.C. 11302(a)), or at risk of
11 homelessness, as defined in section 401(1) of such
12 Act (42 U.S.C. 11360(1));

13 (9) \$150,000,000 shall be for mobility-related
14 services, as defined by the Secretary, for voucher
15 families with children modeled after services pro-
16 vided in connection with the mobility demonstration
17 authorized under section 235 of division G of the
18 Consolidated Appropriations Act, 2019 (42 U.S.C.
19 1437f note; Public Law 116–6), *Provided*, That the
20 Secretary shall make funding available to public
21 housing agencies on a competitive basis and shall
22 give preference to public housing agencies with high-
23 er concentrations of housing choice voucher families
24 with children residing in high-poverty neighborhoods:
25 *Provided further*, That the Secretary may recapture

1 from the public housing agencies unused balances
2 based on utilization of such awards and reallocate
3 such amounts to any other public housing agency or
4 agencies based on need for such mobility-related
5 services as identified under such competition; and

6 (10) the Secretary shall separately track all
7 special purpose vouchers funded under this heading.

8 HOUSING CERTIFICATE FUND

9 (INCLUDING RESCISSIONS)

10 Unobligated balances, including recaptures and car-
11 ryover, remaining from funds appropriated to the Depart-
12 ment of Housing and Urban Development under this
13 heading, the heading “Annual Contributions for Assisted
14 Housing” and the heading “Project-Based Rental Assist-
15 ance”, for fiscal year 2022 and prior years may be used
16 for renewal of or amendments to section 8 project-based
17 contracts and for performance-based contract administra-
18 tors, notwithstanding the purposes for which such funds
19 were appropriated: *Provided*, That any obligated balances
20 of contract authority from fiscal year 1974 and prior fiscal
21 years that have been terminated shall be rescinded: *Pro-*
22 *vided further*, That amounts heretofore recaptured, or re-
23 captured during the current fiscal year, from section 8
24 project-based contracts from source years fiscal year 1975
25 through fiscal year 1987 are hereby rescinded, and an

1 amount of additional new budget authority, equivalent to
2 the amount rescinded is hereby appropriated, to remain
3 available until expended, for the purposes set forth under
4 this heading, in addition to amounts otherwise available.

5 PUBLIC HOUSING FUND

6 For 2022 payments to public housing agencies for the
7 operation and management of public housing, as author-
8 ized by section 9(e) of the United States Housing Act of
9 1937 (42 U.S.C. 1437g(e)) (in this heading “the Act”),
10 and to carry out capital and management activities for
11 public housing agencies, as authorized under section 9(d)
12 of the Act (42 U.S.C. 1437g(d)), \$8,640,000,000, to re-
13 main available until September 30, 2025: *Provided*, That
14 the amounts made available under this heading are pro-
15 vided as follows:

16 (1) \$4,897,000,000 shall be available to the
17 Secretary to allocate pursuant to the Operating
18 Fund formula at part 990 of title 24, Code of Fed-
19 eral Regulations, for 2022 payments: *Provided*, That
20 the amount of any forgone increases in tenant rent
21 payments due to the implementation of rent incen-
22 tives as authorized pursuant to waivers or alter-
23 native requirements of the Jobs-Plus initiative as de-
24 scribed under the heading “Self-Sufficiency Pro-
25 grams” shall be factored into the public housing

1 agencies' general operating fund eligibility pursuant
2 to such formula;

3 (2) \$25,000,000 shall be available to the Sec-
4 retary to allocate pursuant to a need-based applica-
5 tion process notwithstanding section 203 of this title
6 and not subject to such Operating Fund formula to
7 public housing agencies that experience, or are at
8 risk of, financial shortfalls, as determined by the
9 Secretary: *Provided*, That after all such shortfall
10 needs are met, the Secretary may distribute any re-
11 maining funds to all public housing agencies on a
12 pro-rata basis pursuant to such Operating Fund for-
13 mula;

14 (3) \$3,400,000,000 shall be available to the
15 Secretary to allocate pursuant to the Capital Fund
16 formula at section 905.400 of title 24, Code of Fed-
17 eral Regulations: *Provided*, That for funds provided
18 under this paragraph, the limitation in section
19 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
20 *ther*, That the Secretary may waive the limitation in
21 the previous proviso to allow public housing agencies
22 to fund activities authorized under section
23 9(e)(1)(C) of the Act: *Provided further*, That the
24 Secretary shall notify public housing agencies re-
25 questing waivers under the previous proviso if the

1 request is approved or denied within 14 days of sub-
2 mitting the request: *Provided further*, That from the
3 funds made available under this paragraph, the Sec-
4 retary shall provide bonus awards in fiscal year
5 2022 to public housing agencies that are designated
6 high performers: *Provided further*, That the Depart-
7 ment shall notify public housing agencies of their
8 formula allocation not later than 60 days after the
9 date of enactment of this Act;

10 (4) \$65,000,000 shall be available for the Sec-
11 retary to make grants, notwithstanding section 203
12 of this title, to public housing agencies for emer-
13 gency capital needs, including safety and security
14 measures necessary to address crime and drug-re-
15 lated activity, as well as needs resulting from unfore-
16 seen or unpreventable emergencies and natural dis-
17 asters excluding Presidentially declared emergencies
18 and natural disasters under the Robert T. Stafford
19 Disaster Relief and Emergency Act (42 U.S.C. 5121
20 et seq.) occurring in fiscal year 2022, of which
21 \$45,000,000 shall be available for public housing
22 agencies under administrative and judicial receiver-
23 ships or under the control of a Federal monitor:
24 *Provided*, That of the amount made available under
25 this paragraph, not less than \$10,000,000 shall be

1 for safety and security measures: *Provided further*,
2 That in addition to the amount in the previous pro-
3 viso for such safety and security measures, any
4 amounts that remain available, after all applications
5 received on or before September 30, 2023, for emer-
6 gency capital needs have been processed, shall be al-
7 located to public housing agencies for such safety
8 and security measures;

9 (5) \$65,000,000 shall be for competitive grants
10 to public housing agencies to evaluate and reduce
11 lead-based paint hazards in public housing by car-
12 rying out the activities of risk assessments, abate-
13 ment, and interim controls (as those terms are de-
14 fined in section 1004 of the Residential Lead-Based
15 Paint Hazard Reduction Act of 1992 (42 U.S.C.
16 4851b)) and for competitive grants to public housing
17 agencies for activities authorized under the Healthy
18 Homes Initiative, pursuant to sections 501 and 502
19 of the Housing and Urban Development Act of
20 1970, which shall include research, studies, testing,
21 and demonstration efforts, including education and
22 outreach concerning mold, radon, carbon monoxide
23 poisoning, fires, and other housing-related diseases
24 and hazards: *Provided*, That for purposes of environ-
25 mental review, a grant under this paragraph shall be

1 considered funds for projects or activities under title
2 I of the United States Housing Act of 1937 (42
3 U.S.C. 1437 et seq.) for purposes of section 26 of
4 such Act (42 U.S.C. 1437x) and shall be subject to
5 the regulations implementing such section: *Provided*
6 *further*, That amounts made available under this
7 paragraph may be combined with amounts made
8 available under this paragraph in the Consolidated
9 Appropriations Act, 2021 (Public Law 116–260)
10 and used in accordance with the purposes and re-
11 quirements under this paragraph: *Provided*, That of
12 the amounts made available under this paragraph,
13 up to \$5,000,000 may be used for a radon testing
14 and mitigation resident safety demonstration pro-
15 gram (the radon demonstration) in public housing
16 under the same terms and conditions under this
17 heading in paragraph (9) of the Consolidated Appro-
18 priations Act, 2021 (Public Law 116–260): *Provided*
19 *further*, That amounts made available under this
20 paragraph may be used for competitive grants to
21 public housing agencies that improve water and en-
22 ergy efficiency, or reduce the risk of harm to occu-
23 pants or property from natural hazards;
24 (6) \$15,000,000 shall be to support the costs of
25 administrative and judicial receiverships and for

1 competitive grants to PHAs in receivership, des-
2 ignated troubled or substandard, or otherwise at
3 risk, as determined by the Secretary, for costs asso-
4 ciated with public housing asset improvement, in ad-
5 dition to other amounts for that purpose provided
6 under any heading under this title; and

7 (7) \$23,000,000 shall be to support ongoing
8 public housing financial and physical assessment ac-
9 tivities;

10 (8) \$100,000,000 shall be for competitive
11 grants to public housing agencies for capital im-
12 provements to reduce utility consumption or improve
13 the climate resilience of public housing: *Provided,*
14 That for purposes of environmental review, grants
15 under this paragraph shall be considered funds for
16 projects or activities under title I of the United
17 States Housing Act of 1937 (42 U.S.C. 1437 et
18 seq.) for purposes of section 26 of such Act (42
19 U.S.C. 1437x) and shall be subject to the regula-
20 tions implementing such section; and

21 (9) \$50,000,000 shall be available for public
22 housing to promote energy and water efficiency ini-
23 tiatives, including an Energy Performance Contract
24 Incentive pilot program for public housing author-
25 ized under section 9(e)(2)(C) of the United States

1 Housing Act of 1937 and utilities benchmarking re-
2 quired pursuant to sections 990.185(c) and 990.190
3 of title 24, Code of Federal Regulations: *Provided*,
4 That to enable innovative strategies within the En-
5 ergy Performance Contract Incentive pilot program,
6 the Secretary may waive such statutory and regu-
7 latory requirements as may be necessary to permit
8 public housing agencies to propose alternative energy
9 performance contract incentives or requirements and
10 to carry out innovative approaches to program ad-
11 ministration: *Provided further*, That for purposes of
12 environmental review, grants under this paragraph
13 shall be considered funds for projects or activities
14 under title I of the United States Housing Act of
15 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
16 tion 26 of such Act (42 U.S.C. 1437x) and shall be
17 subject to the regulations implementing such section:
18 *Provided further*, That notwithstanding any other provi-
19 sion of law or regulation, during fiscal year 2022, the Sec-
20 retary of Housing and Urban Development may not dele-
21 gate to any Department official other than the Deputy
22 Secretary and the Assistant Secretary for Public and In-
23 dian Housing any authority under paragraph (2) of sec-
24 tion 9(j) of the Act regarding the extension of the time
25 periods under such section: *Provided further*, That for pur-

1 poses of such section 9(j), the term “obligate” means, with
2 respect to amounts, that the amounts are subject to a
3 binding agreement that will result in outlays, immediately
4 or in the future.

5 CHOICE NEIGHBORHOODS INITIATIVE

6 For competitive grants under the Choice Neighbor-
7 hoods Initiative (subject to section 24 of the United States
8 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
9 specified under this heading), for transformation, rehabili-
10 tation, and replacement housing needs of public and
11 HUD-assisted housing and to transform neighborhoods of
12 poverty into functioning, sustainable, mixed-income neigh-
13 borhoods with appropriate services, schools, public assets,
14 transportation, and access to jobs, \$400,000,000, to re-
15 main available until September 30, 2026: *Provided*, That
16 grant funds may be used for resident and community serv-
17 ices, community development, and affordable housing
18 needs in the community, and for conversion of vacant or
19 foreclosed properties to affordable housing: *Provided fur-*
20 *ther*, That not more than 20 percent of the amount of any
21 grant made with amounts made available under this head-
22 ing may be used for necessary supportive services notwith-
23 standing subsection (d)(1)(L) of such section 24: *Provided*
24 *further*, That the use of amounts made available under
25 this heading shall not be deemed to be for public housing,

1 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
2 *ther*, That grantees shall commit to an additional period
3 of affordability determined by the Secretary of not fewer
4 than 20 years: *Provided further*, That the Secretary may
5 specify a period of affordability that is less than 20 years
6 with respect to homeownership units developed with
7 grants from amounts made available under this heading:
8 *Provided further*, That grantees shall provide a match in
9 State, local, other Federal, or private funds: *Provided fur-*
10 *ther*, That grantees may include local governments, tribal
11 entities, public housing agencies, and nonprofit organiza-
12 tions: *Provided further*, That for-profit developers may
13 apply jointly with a public entity: *Provided further*, That
14 for purposes of environmental review, a grantee shall be
15 treated as a public housing agency under section 26 of
16 the United States Housing Act of 1937 (42 U.S.C. 1437x)
17 and grants from amounts made available under this head-
18 ing shall be subject to the regulations issued by the Sec-
19 retary to implement such section: *Provided further*, That
20 of the amounts made available under this heading, not less
21 than \$200,000,000 shall be awarded to public housing
22 agencies: *Provided further*, That such grantees shall create
23 partnerships with other local organizations, including as-
24 sisted housing owners, service agencies, and resident orga-
25 nizations: *Provided further*, That the Secretary shall con-

1 sult with the Secretaries of Education, Labor, Transpor-
2 tation, Health and Human Services, Agriculture, and
3 Commerce, the Attorney General, and the Administrator
4 of the Environmental Protection Agency to coordinate and
5 leverage other appropriate Federal resources: *Provided*
6 *further*, That not more than \$10,000,000 of the amounts
7 made available under this heading may be provided as
8 grants to undertake comprehensive local planning with
9 input from residents and the community: *Provided further*,
10 That unobligated balances, including recaptures, remain-
11 ing from amounts made available under the heading “Re-
12 vitalization of Severely Distressed Public Housing (HOPE
13 VI)” in fiscal year 2011 and prior fiscal years may be used
14 for purposes under this heading, notwithstanding the pur-
15 poses for which such amounts were appropriated: *Provided*
16 *further*, That the Secretary shall issue the Notice of Fund-
17 ing Opportunity for amounts made available under this
18 heading not later than 90 days after the date of enactment
19 of this Act: *Provided further*, That the Secretary shall
20 make grant awards not later than 1 year after the date
21 of enactment of this Act in such amounts that the Sec-
22 retary determines: *Provided further*, That notwithstanding
23 section 24(o) of the United States Housing Act of 1937
24 (42 U.S.C. 1437v(o)), the Secretary may, until September

1 30, 2022, obligate any available unobligated balances
2 made available under this heading in this or any prior Act.

3 SELF-SUFFICIENCY PROGRAMS

4 For activities and assistance related to Self-Suffi-
5 ciency Programs, to remain available until September 30,
6 2025, \$200,000,000: *Provided*, That the amounts made
7 available under this heading are provided as follows:

8 (1) \$150,000,000 shall be for the Family Self-
9 Sufficiency program to support family self-suffi-
10 ciency coordinators under section 23 of the United
11 States Housing Act of 1937 (42 U.S.C. 1437u), to
12 promote the development of local strategies to co-
13 ordinate the use of assistance under sections 8 and
14 9 of such Act with public and private resources, and
15 to enable eligible families to achieve economic inde-
16 pendence and self-sufficiency: *Provided*, That the
17 Secretary may, by notice published in the Federal
18 Register, waive or specify alternative requirements
19 for the requirements under subsections (b)(3),
20 (b)(4), (b)(5), or (c)(1) of section 23 of such Act in
21 order to facilitate the operation of a unified self-suf-
22 ficiency program for individuals receiving assistance
23 under different provisions of such Act, as deter-
24 mined by the Secretary: *Provided further*, That upon
25 the Secretary issuing a final rule for the proposed

1 rule entitled “Streamlining and Implementation of
2 Economic Growth, Regulatory Relief, and Consumer
3 Protection Act Changes to Family Self-Sufficiency
4 (FSS) Program” published in the Federal Register
5 on September 21, 2020 (85 Fed. Reg. 59234) or
6 any final rule based substantially on such proposed
7 rule, an owner or sponsor of a multifamily property
8 receiving project-based rental assistance under sec-
9 tion 8 of such Act shall be eligible to receive awards
10 from the Secretary under this paragraph in this and
11 prior Acts to support family self-sufficiency coordi-
12 nators: *Provided further*, That owners or sponsors of
13 a multifamily property receiving project-based rental
14 assistance under section 8 of such Act may volun-
15 tarily make a Family Self-Sufficiency program avail-
16 able to the assisted tenants of such property in ac-
17 cordance with procedures established by the Sec-
18 retary: *Provided further*, That such procedures es-
19 tablished pursuant to the preceding proviso shall
20 permit participating tenants to accrue escrow funds
21 in accordance with section 23(d)(2) of such Act and
22 shall allow owners to use funding from residual re-
23 ceipt accounts to hire coordinators for their own
24 Family Self-Sufficiency program;

1 (2) \$35,000,000 shall be for the Resident Op-
2 portunity and Self-Sufficiency program to provide
3 for supportive services, service coordinators, and
4 congregate services, as authorized by section 34 of
5 the United States Housing Act of 1937 (42 U.S.C.
6 1437z-6) and the Native American Housing Assist-
7 ance and Self-Determination Act of 1996 (25 U.S.C.
8 4101 et seq.); and

9 (3) \$15,000,000 shall be for a Jobs-Plus initia-
10 tive modeled after the Jobs-Plus demonstration: *Pro-*
11 *vided*, That amounts made available in this para-
12 graph shall be for competitive grants to public hous-
13 ing agencies or owners or sponsors of multifamily
14 properties receiving project-based rental assistance
15 under section 8 that, in partnership with, local work-
16 force investment boards established under section
17 107 of the Workforce Innovation and Opportunity
18 Act of 2014 (29 U.S.C. 3122), and other agencies
19 and organizations that provide support to help pub-
20 lic housing residents, or tenants residing in a unit
21 assisted under a project-based section 8 contract (in-
22 cluding section 8(o)(13) of the United States Hous-
23 ing Act of 1973), obtain employment or increase
24 earnings, or both: *Provided further*, That applicants
25 shall demonstrate the ability to provide services to

1 such residents or tenants, partner with workforce in-
2 vestment boards, and leverage service dollars: *Pro-*
3 *vided further*, That the Secretary may allow public
4 housing agencies to request exemptions from rent
5 and income limitation requirements under sections 3
6 and 6 of the United States Housing Act of 1937 (42
7 U.S.C. 1437a, 1437d), as necessary to implement
8 the Jobs-Plus program, on such terms and condi-
9 tions as the Secretary may approve upon a finding
10 by the Secretary that any such waivers or alternative
11 requirements are necessary for the effective imple-
12 mentation of the Jobs-Plus initiative as a voluntary
13 program for residents: *Provided further*, That the
14 Secretary shall publish a notice in the Federal Reg-
15 ister of any waivers or alternative requirements pur-
16 suant to the preceding proviso not later than 10
17 days before the effective date of such notice: *Pro-*
18 *vided further*, That the costs of any rent incentives
19 as authorized pursuant to such waivers or alter-
20 native requirements shall not be charged against the
21 competitive grant amounts made available in this
22 paragraph.

23 NATIVE AMERICAN PROGRAMS

24 For activities and assistance authorized under title
25 I of the Native American Housing Assistance and Self-

1 Determination Act of 1996 (in this heading
2 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the
3 Housing and Community Development Act of 1974 (42
4 U.S.C. 5301 et seq.) with respect to Indian tribes, and
5 related training and technical assistance, \$950,000,000,
6 to remain available until September 30, 2026: *Provided*,
7 That the amounts made available under this heading are
8 provided as follows:

9 (1) \$722,000,000 shall be for the Native Amer-
10 ican Housing Block Grants program, as authorized
11 under title I of NAHASDA: *Provided*, That, not-
12 withstanding NAHASDA, to determine the amount
13 of the allocation under title I of such Act for each
14 Indian tribe, the Secretary shall apply the formula
15 under section 302 of such Act with the need compo-
16 nent based on single-race census data and with the
17 need component based on multi-race census data,
18 and the amount of the allocation for each Indian
19 tribe shall be the greater of the two resulting alloca-
20 tion amounts: *Provided further*, That the Secretary
21 shall notify grantees of their formula allocation not
22 later than 60 days after the date of enactment of
23 this Act;

24 (2) \$150,000,000 shall be for competitive
25 grants under the Native American Housing Block

1 Grants program, as authorized under title I of
2 NAHASDA: *Provided*, That the Secretary shall obli-
3 gate such amount for competitive grants to eligible
4 recipients authorized under NAHASDA that apply
5 for funds: *Provided further*, That in awarding
6 amounts made available in this paragraph, the Sec-
7 retary shall consider need and administrative capac-
8 ity, and shall give priority to projects that will spur
9 construction and rehabilitation of housing: *Provided*
10 *further*, That the Secretary may also give priority to
11 projects that improve water or energy efficiency or
12 increase resilience to natural hazards for housing
13 units owned, operated, or assisted by eligible recipi-
14 ents authorized under NAHASDA: *Provided further*,
15 That a grant funded pursuant to this paragraph
16 shall be in an amount not greater than \$5,000,000:
17 *Provided further*, That any amounts transferred for
18 the necessary costs of administering and overseeing
19 the obligation and expenditure of such additional
20 amounts in prior Acts may also be used for the nec-
21 essary costs of administering and overseeing such
22 additional amount;

23 (3) \$1,000,000 shall be for the cost of guaran-
24 teed notes and other obligations, as authorized by
25 title VI of NAHASDA: *Provided*, That such costs,

1 including the costs of modifying such notes and
2 other obligations, shall be as defined in section 502
3 of the Congressional Budget Act of 1974 (2 U.S.C.
4 661a): *Provided further*, That for fiscal year 2022
5 amounts made available in this Act for the cost of
6 guaranteed notes and other obligations and any un-
7 obligated balances, including recaptures and carry-
8 over, remaining from amounts made available for
9 this purpose under this heading or under the head-
10 ing “Native American Housing Block Grants” in
11 prior Acts shall be available to subsidize the total
12 principal amount of any notes and other obligations,
13 any part of which is to be guaranteed, not to exceed
14 \$50,000,000;

15 (4) \$70,000,000 shall be for grants to Indian
16 tribes for carrying out the Indian Community Devel-
17 opment Block Grant program under title I of the
18 Housing and Community Development Act of 1974,
19 notwithstanding section 106(a)(1) of such Act, of
20 which, notwithstanding any other provision of law
21 (including section 203 of this Act), not more than
22 \$4,000,000 may be used for emergencies that con-
23 stitute imminent threats to health and safety: *Pro-*
24 *vided*, That not to exceed 20 percent of any grant
25 made with amounts made available in this para-

1 graph shall be expended for planning and manage-
2 ment development and administration: *Provided fur-*
3 *ther*, That the Secretary may give priority to
4 projects that include activities that improve water or
5 energy efficiency or increase resilience to natural
6 hazards; and

7 (5) \$7,000,000 shall be for providing training
8 and technical assistance to Indian tribes, Indian
9 housing authorities, and tribally designated housing
10 entities, to support the inspection of Indian housing
11 units, for contract expertise, and for training and
12 technical assistance related to amounts made avail-
13 able under this heading and other headings in this
14 Act for the needs of Native American families and
15 Indian country: *Provided*, That of the amounts made
16 available in this paragraph, not less than \$2,000,000
17 shall be for a national organization as authorized
18 under section 703 of NAHASDA (25 U.S.C. 4212):
19 *Provided further*, That amounts made available in
20 this paragraph may be used, contracted, or com-
21 peted as determined by the Secretary: *Provided fur-*
22 *ther*, That notwithstanding chapter 63 of title 31,
23 United States Code (commonly known as the Fed-
24 eral Grant and Cooperative Agreements Act of
25 1977), the amounts made available in this para-

1 graph may be used by the Secretary to enter into co-
2 operative agreements with public and private organi-
3 zations, agencies, institutions, and other technical
4 assistance providers to support the administration of
5 negotiated rulemaking under section 106 of
6 NAHASDA (25 U.S.C. 4116), the administration of
7 the allocation formula under section 302 of
8 NAHASDA (25 U.S.C. 4152), and the administra-
9 tion of performance tracking and reporting under
10 section 407 of NAHASDA (25 U.S.C. 4167).

11 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

12 ACCOUNT

13 For the cost of guaranteed loans, as authorized by
14 section 184 of the Housing and Community Development
15 Act of 1992 (12 U.S.C. 1715z–13a), \$3,000,000, to re-
16 main available until expended: *Provided*, That such costs,
17 including the costs of modifying such loans, shall be as
18 defined in section 502 of the Congressional Budget Act
19 of 1974 (2 U.S.C. 661a): *Provided further*, That an addi-
20 tional \$500,000, to remain available until expended, shall
21 be for administrative contract expenses, including manage-
22 ment processes to carry out the loan guarantee program:
23 *Provided further*, That for fiscal year 2022 amounts made
24 available in this and prior Acts for the cost of guaranteed
25 loans, as authorized by section 184 of the Housing and

1 Community Development Act of 1992 (12 U.S.C. 1715z–
2 13a), that are unobligated, including recaptures and car-
3 ryover, shall be available to subsidize total loan principal,
4 any part of which is to be guaranteed, not to exceed
5 \$1,400,000,000, to remain available until September 30,
6 2023.

7 NATIVE HAWAIIAN HOUSING BLOCK GRANT

8 For the Native Hawaiian Housing Block Grant pro-
9 gram, as authorized under title VIII of the Native Amer-
10 ican Housing Assistance and Self-Determination Act of
11 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain
12 available until September 30, 2026: *Provided*, That not-
13 withstanding section 812(b) of such Act (25 U.S.C.
14 4231(b)), the Department of Hawaiian Home Lands may
15 not invest grant amounts made available under this head-
16 ing in investment securities and other obligations: *Pro-*
17 *vided further*, That amounts made available under this
18 heading in this and prior fiscal years may be used to pro-
19 vide rental assistance to eligible Native Hawaiian families
20 both on and off the Hawaiian Home Lands, notwith-
21 standing any other provision of law.

22 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

23 PROGRAM ACCOUNT

24 New commitments to guarantee loans, as authorized
25 by section 184A of the Housing and Community Develop-

1 ment Act of 1992 (12 U.S.C. 1715z–13b), any part of
2 which is to be guaranteed, shall not exceed \$28,000,000
3 in total loan principal: *Provided*, That the Secretary may
4 enter into commitments to guarantee loans used for refi-
5 nancing.

6 COMMUNITY PLANNING AND DEVELOPMENT

7 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

8 For carrying out the Housing Opportunities for Per-
9 sons with AIDS program, as authorized by the AIDS
10 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
11 \$600,000,000, to remain available until September 30,
12 2023, except that amounts allocated pursuant to section
13 854(c)(5) of such Act shall remain available until Sep-
14 tember 30, 2024: *Provided*, That prior to allocating
15 amounts under this heading pursuant to the allocation for-
16 mula under section 854(c) of such Act, the Secretary shall
17 set aside no more than \$6,000,000 of the total amount
18 made available under this heading and shall allocate such
19 amount (notwithstanding such section 854(c)) as an addi-
20 tional amount to all grantees that would experience a re-
21 duced formula allocation in fiscal year 2022 when com-
22 pared to the fiscal year 2021 allocation, in an amount pro-
23 portional to the reduction: *Provided further*, That the Sec-
24 retary shall allocate amounts in the previous proviso such
25 that allocations to such grantees do not exceed 105 per-

1 cent of their fiscal year 2021 allocations: *Provided further*,
2 That any amounts remaining from the amount set aside
3 and allocated under the previous two provisos may be allo-
4 cated pursuant to section 854(c)(5) of such Act: *Provided*
5 *further*, That in awarding nonformula amounts the Sec-
6 retary shall give first priority to the renewal or replace-
7 ment of expiring contracts for permanent supportive hous-
8 ing that initially were funded under section 854(c)(5) of
9 such Act from funds made available under this heading
10 in fiscal year 2010 and prior fiscal years for grantees of
11 such expiring contracts that propose to integrate best
12 practices in a new or updated service model or dem-
13 onstrate the effectiveness of current service models: *Pro-*
14 *vided further*, That in the event a grantee's application
15 under the previous proviso does not meet the requirements
16 for such priority, the Secretary may renew such contract
17 for a period not to exceed 1 year and shall give priority
18 for new awards to applicants that propose to serve the
19 jurisdiction or jurisdictions previously served by such
20 grantee: *Provided further*, That the Secretary shall also
21 give priority to any applicants that propose models that
22 include a measurable demonstration outcome: *Provided*
23 *further*, That the application process for such nonformula
24 amounts that applies such priorities, including the process
25 for submitting and approving proposals for the renewal

1 or replacement of such contracts, shall be established by
2 the Secretary in a notice: *Provided further*, That the De-
3 partment shall notify grantees of their formula allocation
4 not later than 60 days after the date of enactment of this
5 Act.

6 COMMUNITY DEVELOPMENT FUND

7 For carrying out the community development block
8 grant program under title I of the Housing and Commu-
9 nity Development Act of 1974, as amended (42 U.S.C.
10 5301 et seq.) (in this heading “the 1974 Act”),
11 \$4,688,000,000, to remain available until September 30,
12 2024, unless otherwise specified: *Provided*, That unless ex-
13 plicitly provided for under this heading, not to exceed 20
14 percent of any grant made with funds made available
15 under this heading shall be expended for planning and
16 management development and administration: *Provided*
17 *further*, That a metropolitan city, urban county, unit of
18 general local government, or insular area that directly or
19 indirectly receives funds under this heading may not sell,
20 trade, or otherwise transfer all or any portion of such
21 funds to another such entity in exchange for any other
22 funds, credits, or non-Federal considerations, but shall use
23 such funds for activities eligible under title I of the 1974
24 Act: *Provided further*, That notwithstanding section
25 105(e)(1) of the 1974 Act, no funds made available under

1 this heading may be provided to a for-profit entity for an
2 economic development project under section 105(a)(17)
3 unless such project has been evaluated and selected in ac-
4 cordance with guidelines required under subsection (e)(2)
5 of section 105: *Provided further*, That of the total amount
6 provided under this heading, up to \$25,000,000 shall be
7 for activities authorized under section 8071 of the SUP-
8 PORT for Patients and Communities Act (Public Law
9 115–271): *Provided further*, That the funds allocated pur-
10 suant to the preceding proviso shall not adversely affect
11 the amount of any formula assistance received by a state
12 under this heading: *Provided further*, That the Secretary
13 shall allocate the funds for such activities based on the
14 notice establishing the funding formula published in the
15 Federal Register on April 17, 2019 (84 Fed. Reg. 16027)
16 except that the formula shall use age-adjusted rates of
17 drug overdose deaths for 2018 based on data from the
18 Centers for Disease Control and Prevention: *Provided fur-*
19 *ther*, That of the amount made available under this head-
20 ing, not more than \$935,500,000 shall be available for
21 grants for the Economic Development Initiative (EDI) to
22 finance a variety of targeted housing, economic, and com-
23 munity development investments for the purposes, and in
24 the amounts, specified for this account in the table titled
25 “Incorporation of Community Project Funding” included

1 in the report accompanying this Act and in accordance
2 with the terms and conditions specified in such report:
3 *Provided further*, That the Secretary shall not waive or
4 specify alternative requirements related to fair housing,
5 nondiscrimination, labor standards, and the environment
6 in connection with the obligation by the Secretary or the
7 use by the recipient of amounts made available in the pre-
8 ceding proviso: *Provided further*, That none of the
9 amounts made available in the previous two provisos shall
10 be used for reimbursement of expenses incurred prior to
11 the obligation of funds: *Provided further*, That the Depart-
12 ment of Housing and Urban Development shall notify
13 grantees of their formula allocation not later than 60 days
14 after the date of enactment of this Act.

15 COMMUNITY DEVELOPMENT LOAN GUARANTEES

16 PROGRAM ACCOUNT

17 Subject to section 502 of the Congressional Budget
18 Act of 1974 (2 U.S.C. 661a), during fiscal year 2022,
19 commitments to guarantee loans under section 108 of the
20 Housing and Community Development Act of 1974 (42
21 U.S.C. 5308), any part of which is guaranteed, shall not
22 exceed a total principal amount of \$300,000,000, notwith-
23 standing any aggregate limitation on outstanding obliga-
24 tions guaranteed in subsection (k) of such section 108:
25 *Provided*, That the Secretary shall collect fees from bor-

1 rowers, notwithstanding subsection (m) of such section
2 108, to result in a credit subsidy cost of zero for guaran-
3 teeing such loans, and any such fees shall be collected in
4 accordance with section 502(7) of the Congressional
5 Budget Act of 1974: *Provided further*, That such commit-
6 ment authority funded by fees may be used to guarantee,
7 or make commitments to guarantee, notes or other obliga-
8 tions issued by any State on behalf of non-entitlement
9 communities in the State in accordance with the require-
10 ments of such section 108: *Provided further*, That any
11 State receiving such a guarantee or commitment under the
12 preceding proviso shall distribute all funds subject to such
13 guarantee to the units of general local government in non-
14 entitlement areas that received the commitment.

15 HOME INVESTMENT PARTNERSHIPS PROGRAM

16 For the HOME Investment Partnerships program, as
17 authorized under title II of the Cranston-Gonzalez Na-
18 tional Affordable Housing Act, as amended (42 U.S.C.
19 12721 et seq.), \$1,850,000,000, to remain available until
20 September 30, 2025: *Provided*, That of the amount made
21 available under this heading, up to \$50,000,000 shall be
22 for awards to States and insular areas for assistance to
23 homebuyers as authorized under section 212(a)(1) of such
24 Act (42 U.S.C. 12742(a)(1)), in addition to amounts oth-
25 erwise available for such purpose: *Provided further*, That

1 amounts made available under the preceding proviso shall
2 be allocated in the same manner as amounts otherwise
3 made available under this heading, except that amounts
4 that would have been reserved and allocated to units of
5 general local government within the State pursuant to sec-
6 tion 217 of such Act (42 U.S.C. 12747) shall be provided
7 to the State: *Provided further*, That the Secretary may
8 waive or specify alternative requirements for any provision
9 of such Act in connection with the use of amounts made
10 available under the previous two provisos (except for re-
11 quirements related to fair housing, nondiscrimination,
12 labor standards, and the environment) upon a finding that
13 any such waivers or alternative requirements are nec-
14 essary to expedite or facilitate the use of amounts awarded
15 pursuant to the preceding provisos: *Provided further*, That
16 notwithstanding section 231(b) of such Act (42 U.S.C.
17 12771(b)), all unobligated balances remaining from
18 amounts recaptured pursuant to such section that remain
19 available until expended shall be combined with amounts
20 made available under this heading and allocated in accord-
21 ance with the formula under section 217(b)(1)(A) of such
22 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That
23 the Department shall notify grantees of their formula allo-
24 cations not later than 60 days after the date of enactment
25 of this Act: *Provided further*, That section 218(g) of such

1 Act (42 U.S.C. 12748(g)) shall not apply with respect to
2 the right of a jurisdiction to draw funds from its HOME
3 Investment Trust Fund that otherwise expired or would
4 expire in 2016, 2017, 2018, 2019, 2020, 2021, 2022,
5 2023, or 2024 under that section: *Provided further*, That
6 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not
7 apply to any uninvested funds that otherwise were de-
8 ducted or would be deducted from the line of credit in
9 the participating jurisdiction's HOME Investment Trust
10 Fund in 2018, 2019, 2020, 2021, 2022, 2023, or 2024
11 under that section.

12 SELF-HELP AND ASSISTED HOMEOWNERSHIP

13 OPPORTUNITY PROGRAM

14 For the Self-Help and Assisted Homeownership Op-
15 portunity Program, as authorized under section 11 of the
16 Housing Opportunity Program Extension Act of 1996 (42
17 U.S.C. 12805 note), and for related activities and assist-
18 ance, \$65,000,000, to remain available until September
19 30, 2024: *Provided*, That the amounts made available
20 under this heading are provided as follows:

21 (1) \$15,000,000 shall be for the Self-Help
22 Homeownership Opportunity Program as authorized
23 under such section 11;

24 (2) \$45,000,000 shall be for the second, third,
25 and fourth capacity building entities specified in sec-

1 tion 4(a) of the HUD Demonstration Act of 1993
2 (42 U.S.C. 9816 note), of which not less than
3 \$5,000,000 shall be for rural capacity building ac-
4 tivities; and

5 (3) \$5,000,000 shall be for capacity building by
6 national rural housing organizations having experi-
7 ence assessing national rural conditions and pro-
8 viding financing, training, technical assistance, infor-
9 mation, and research to local nonprofit organiza-
10 tions, local governments, and Indian tribes serving
11 high need rural communities.

12 HOMELESS ASSISTANCE GRANTS

13 For assistance under title IV of the McKinney-Vento
14 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
15 \$3,420,000,000, to remain available until September 30,
16 2024: *Provided*, That of the amounts made available
17 under this heading—

18 (1) not less than \$290,000,000 shall be for the
19 Emergency Solutions Grants program authorized
20 under subtitle B of such title IV (42 U.S.C. 11371
21 et seq.): *Provided further*, That the Department shall
22 notify grantees of their formula allocation from
23 amounts allocated (which may represent initial or
24 final amounts allocated) for the Emergency Solu-

1 tions Grant program not later than 60 days after
2 enactment of this Act;

3 (2) not less than \$3,031,000,000 shall be for
4 the Continuum of Care program authorized under
5 subtitle C of such title IV (42 U.S.C. 11381 et seq.)
6 and the Rural Housing Stability Assistance pro-
7 grams authorized under subtitle D of such title IV
8 (42 U.S.C. 11408): *Provided further*, That the Sec-
9 retary shall prioritize funding under the Continuum
10 of Care program to continuums of care that have
11 demonstrated a capacity to reallocate funding from
12 lower performing projects to higher performing
13 projects: *Provided further*, That the Secretary shall
14 provide incentives to create projects that coordinate
15 with housing providers and healthcare organizations
16 to provide permanent supportive housing and rapid
17 re-housing services: *Provided further*, That the of the
18 amounts made available for the Continuum of Care
19 program under this paragraph, not less than
20 \$52,000,000 shall be for the grants for new rapid
21 re-housing and supportive service projects providing
22 coordinated entry, and for eligible activities that the
23 Secretary determines to be critical in order to assist
24 survivors of domestic violence, dating violence, sex-
25 ual assault or stalking: *Provided further*, That

1 amounts made available for the Continuum of Care
2 program under this heading in this Act and any re-
3 maining unobligated balances from prior Acts may
4 be used to competitively or non-competitively renew
5 or replace grants for youth homeless demonstration
6 projects under the Continuum of Care program, not-
7 withstanding any conflict with the requirements of
8 the Continuum of Care program;

9 (3) up to \$7,000,000 shall be for the national
10 homeless data analysis project: *Provided further,*
11 That notwithstanding the provisions of the Federal
12 Grant and Cooperative Agreements Act of 1977 (31
13 U.S.C. 6301–6308), the amounts made available
14 under this paragraph and any remaining unobligated
15 balances under this heading for such purposes in
16 prior Acts may be used by the Secretary to enter
17 into cooperative agreements with such entities as
18 may be determined by the Secretary, including pub-
19 lic and private organizations, agencies, and institu-
20 tions; and

21 (4) up to \$92,000,000 shall be to implement
22 projects to demonstrate how a comprehensive ap-
23 proach to serving homeless youth, age 24 and under,
24 in up to 25 communities with a priority for commu-
25 nities with substantial rural populations in up to

1 eight locations, can dramatically reduce youth home-
2 lessness: *Provided further*, That of the amount made
3 available under this paragraph, up to \$10,000,000
4 shall be to provide technical assistance on improving
5 system responses to youth homelessness, and collec-
6 tion, analysis, use, and reporting of data and per-
7 formance measures under the comprehensive ap-
8 proaches to serve homeless youth, in addition to and
9 in coordination with other technical assistance funds
10 provided under this title: *Provided further*, That the
11 Secretary may use up to 10 percent of the amount
12 made available under the previous proviso to build
13 the capacity of current technical assistance providers
14 or to train new technical assistance providers with
15 verifiable prior experience with systems and pro-
16 grams for youth experiencing homelessness:
17 *Provided further*, That youth aged 24 and under seeking
18 assistance under this heading shall not be required to pro-
19 vide third party documentation to establish their eligibility
20 under subsection (a) or (b) of section 103 of the McKin-
21 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
22 receive services: *Provided further*, That unaccompanied
23 youth aged 24 and under or families headed by youth aged
24 24 and under who are living in unsafe situations may be
25 served by youth-serving providers funded under this head-

1 ing: *Provided further*, That persons eligible under section
2 103(a)(5) of the McKinney-Vento Homeless Assistance
3 Act may be served by any project funded under this head-
4 ing to provide both transitional housing and rapid re-hous-
5 ing: *Provided further*, That for all matching funds require-
6 ments applicable to funds made available under this head-
7 ing for this fiscal year and prior fiscal years, a grantee
8 may use (or could have used) as a source of match funds
9 other funds administered by the Secretary and other Fed-
10 eral agencies unless there is (or was) a specific statutory
11 prohibition on any such use of any such funds: *Provided*
12 *further*, That none of the funds made available under this
13 heading shall be available to provide funding for new
14 projects, except for projects created through reallocation,
15 unless the Secretary determines that the continuum of
16 care has demonstrated that projects are evaluated and
17 ranked based on the degree to which they improve the con-
18 tinuum of care's system performance: *Provided further*,
19 That any unobligated amounts remaining from funds
20 made available under this heading in fiscal year 2012 and
21 prior years for project-based rental assistance for rehabili-
22 tation projects with 10-year grant terms may be used for
23 purposes under this heading, notwithstanding the pur-
24 poses for which such funds were appropriated: *Provided*
25 *further*, That unobligated balances, including recaptures

1 and carryover, remaining from funds transferred to or ap-
2 propriated under this heading in fiscal year 2019 or prior
3 years, except for rental assistance amounts that were re-
4 captured and made available until expended, shall be avail-
5 able for the current purposes authorized under this head-
6 ing in addition to the purposes for which such funds origi-
7 nally were appropriated.

8 HOUSING PROGRAMS

9 PROJECT-BASED RENTAL ASSISTANCE

10 For activities and assistance for the provision of
11 project-based subsidy contracts under the United States
12 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
13 heading “the Act”), not otherwise provided for,
14 \$13,610,000,000, to remain available until expended,
15 which shall be available on October 1, 2021 (in addition
16 to the \$400,000,000 previously appropriated under this
17 heading that became available October 1, 2021), and
18 \$400,000,000, to remain available until expended, which
19 shall be available on October 1, 2022: *Provided*, That the
20 amounts made available under this heading shall be for
21 expiring or terminating section 8 project-based subsidy
22 contracts (including section 8 moderate rehabilitation con-
23 tracts), for amendments to section 8 project-based subsidy
24 contracts (including section 8 moderate rehabilitation con-
25 tracts), for contracts entered into pursuant to section 441

1 of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11401), for renewal of section 8 contracts for units
3 in projects that are subject to approved plans of action
4 under the Emergency Low Income Housing Preservation
5 Act of 1987 or the Low-Income Housing Preservation and
6 Resident Homeownership Act of 1990, and for administra-
7 tive and other expenses associated with project-based ac-
8 tivities and assistance funded under this heading: *Provided*
9 *further*, That the amount of any foregone increases in ten-
10 ant rent payments due to the implementation of rent in-
11 centives as authorized pursuant to waivers or alternative
12 requirements of the Jobs-Plus initiative as described
13 under the heading “Self-Sufficiency Programs” shall be
14 factored into housing assistance payments under project-
15 based subsidy contracts: *Provided further*, That of the
16 total amounts made available under this heading, not to
17 exceed \$355,000,000 shall be for performance-based con-
18 tract administrators or contractors for section 8 project-
19 based assistance, for carrying out 42 U.S.C. 1437f: *Pro-*
20 *vided further*, That the Secretary may also use such
21 amounts made available in the preceding proviso for per-
22 formance-based contract administrators or contractors for
23 the administration of:

1 (1) interest reduction payments pursuant to
2 section 236(a) of the National Housing Act (12
3 U.S.C. 1715z-1(a));

4 (2) rent supplement payments pursuant to sec-
5 tion 101 of the Housing and Urban Development
6 Act of 1965 (12 U.S.C. 1701s);

7 (3) rental assistance payments under section
8 236(f)(2) of the National Housing Act (12 U.S.C.
9 1715z-1(f)(2));

10 (4) project rental assistance contracts for hous-
11 ing for the elderly under section 202(c)(2) of the
12 Housing Act of 1959 (12 U.S.C. 1701q(c)(2));

13 (5) project rental assistance contracts for sup-
14 portive housing for persons with disabilities under
15 section 811(d)(2) of the Cranston-Gonzalez National
16 Affordable Housing Act (42 U.S.C. 8013(d)(2));

17 (6) project assistance contracts pursuant to sec-
18 tion 202(h) of the Housing Act of 1959 (Public Law
19 86-372; 73 Stat. 667); and

20 (7) loans under section 202 of the Housing Act
21 of 1959 (12 U.S.C. 1701q):

22 *Provided further*, That amounts recaptured under this
23 heading, the heading “Annual Contributions for Assisted
24 Housing”, or the heading “Housing Certificate Fund”,
25 may be used for renewals of or amendments to section

1 8 project-based contracts or for performance-based con-
2 tract administrators or contractors, notwithstanding the
3 purposes for which such amounts were appropriated: *Pro-*
4 *vided further*, That of the total amounts made available
5 under this heading, \$10,000,000 shall be for tenant capac-
6 ity-building and technical assistance activities authorized
7 under section 514(f) of the Multifamily Assisted Housing
8 Reform and Affordability Act of 1997, notwithstanding
9 the amount specified in such section: *Provided further*,
10 That, notwithstanding any other provision of law, upon
11 the request of the Secretary, project funds that are held
12 in residual receipts accounts for any project subject to a
13 section 8 project-based Housing Assistance Payments con-
14 tract that authorizes the Department or a housing finance
15 agency to require that surplus project funds be deposited
16 in an interest-bearing residual receipts account and that
17 are in excess of an amount to be determined by the Sec-
18 retary, shall be remitted to the Department and deposited
19 in this account, to be available until expended: *Provided*
20 *further*, That amounts deposited pursuant to the preceding
21 proviso shall be available in addition to the amount other-
22 wise provided under this heading for uses authorized
23 under this heading.

1 HOUSING FOR THE ELDERLY

2 For capital advances, including amendments to cap-
3 ital advance contracts, for housing for the elderly, as au-
4 thorized by section 202 of the Housing Act of 1959 (12
5 U.S.C. 1701q), for project rental assistance for the elderly
6 under section 202(c)(2) of such Act, including amend-
7 ments to contracts for such assistance and renewal of ex-
8 piring contracts for such assistance for up to a 5-year
9 term, for senior preservation rental assistance contracts,
10 including renewals, as authorized by section 811(e) of the
11 American Homeownership and Economic Opportunity Act
12 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
13 ices associated with the housing, \$1,033,000,000 to re-
14 main available until September 30, 2025: *Provided*, That
15 the Secretary may give preference to capital advance
16 projects that promote water and energy efficiency or are
17 resilient to natural hazards: *Provided further*, That of the
18 amount made available under this heading, up to
19 \$125,000,000 shall be for service coordinators and the
20 continuation of existing congregate service grants for resi-
21 dents of assisted housing projects: *Provided further*, That
22 amounts made available under this heading shall be avail-
23 able for Real Estate Assessment Center inspections and
24 inspection-related activities associated with section 202
25 projects: *Provided further*, That the Secretary may waive

1 the provisions of section 202 governing the terms and con-
2 ditions of project rental assistance, except that the initial
3 contract term for such assistance shall not exceed 5 years
4 in duration: *Provided further*, That upon request of the
5 Secretary, project funds that are held in residual receipts
6 accounts for any project subject to a section 202 project
7 rental assistance contract, and that upon termination of
8 such contract are in excess of an amount to be determined
9 by the Secretary, shall be remitted to the Department and
10 deposited in this account, to remain available until Sep-
11 tember 30, 2025: *Provided further*, That amounts depos-
12 ited in this account pursuant to the previous proviso shall
13 be available, in addition to the amounts otherwise provided
14 by this heading, for the purposes authorized under this
15 heading: *Provided further*, That unobligated balances, in-
16 cluding recaptures and carryover, remaining from funds
17 transferred to or appropriated under this heading shall be
18 available for the current purposes authorized under this
19 heading in addition to the purposes for which such funds
20 originally were appropriated: *Provided further*, That of the
21 total amount made available under this heading, up to
22 \$10,000,000 shall be used to expand the supply of inter-
23 generational dwelling units (as such term is defined in sec-
24 tion 202 of the Legacy Act of 2003 (12 U.S.C. 1701q
25 note)) for elderly caregivers raising children: *Provided fur-*

1 *ther*, That for the purposes of the previous proviso the Sec-
2 retary may waive, or specify alternative requirements for,
3 any provision of section 202 of the Housing Act of 1959
4 (12 U.S.C. 1701q) in order to facilitate the development
5 of such units, except for requirements related to fair hous-
6 ing, nondiscrimination, labor standards, and the environ-
7 ment.

8 HOUSING FOR PERSONS WITH DISABILITIES

9 For capital advances, including amendments to cap-
10 ital advance contracts, for supportive housing for persons
11 with disabilities, as authorized by section 811 of the Cran-
12 ston-Gonzalez National Affordable Housing Act (42
13 U.S.C. 8013), for project rental assistance for supportive
14 housing for persons with disabilities under section
15 811(d)(2) of such Act, for project assistance contracts
16 pursuant to subsection (h) of section 202 of the Housing
17 Act of 1959, as added by section 205(a) of the Housing
18 and Community Development Amendments of 1978 (Pub-
19 lic Law 95–557: 92 Stat. 2090), including amendments
20 to contracts for such assistance and renewal of expiring
21 contracts for such assistance for up to a 1-year term, for
22 project rental assistance to State housing finance agencies
23 and other appropriate entities as authorized under section
24 811(b)(3) of the Cranston-Gonzalez National Affordable
25 Housing Act, and for supportive services associated with

1 the housing for persons with disabilities as authorized by
2 section 811(b)(1) of such Act, \$352,000,000, to remain
3 available until September 30, 2025: *Provided*, That the
4 Secretary may give preference to capital advance projects
5 that promote water and energy efficiency or are resilient
6 to natural hazards: *Provided further*, That amounts made
7 available under this heading shall be available for Real Es-
8 tate Assessment Center inspections and inspection-related
9 activities associated with section 811 projects: *Provided*
10 *further*, That unobligated balances, including recaptures
11 and carryover, remaining from funds transferred to or ap-
12 propriated under this heading shall be used for the current
13 purposes authorized under this heading in addition to the
14 purposes for which such funds originally were appro-
15 priated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance excluding
18 loans, as authorized under section 106 of the Housing and
19 Urban Development Act of 1968 (12 U.S.C. 1701x)
20 \$100,000,000, to remain available until September 30,
21 2023, including up to \$4,500,000 for administrative con-
22 tract services: *Provided*, That funds shall be used for pro-
23 viding counseling and advice to tenants and homeowners,
24 both current and prospective, with respect to property
25 maintenance, financial management or literacy, and such

1 other matters as may be appropriate to assist them in im-
2 proving their housing conditions, meeting their financial
3 needs, and fulfilling the responsibilities of tenancy or
4 homeownership, for program administration, and for hous-
5 ing counselor training: *Provided further*, That for purposes
6 of awarding grants from amounts made available under
7 this heading, the Secretary may enter into multiyear
8 agreements, as appropriate, subject to the availability of
9 annual appropriations.

10 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

11 FUND

12 For necessary expenses as authorized by the National
13 Manufactured Housing Construction and Safety Stand-
14 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
15 \$14,000,000, to remain available until expended, of which
16 \$14,000,000 shall be derived from the Manufactured
17 Housing Fees Trust Fund (established under section
18 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
19 not to exceed the total amount appropriated under this
20 heading shall be available from the general fund of the
21 Treasury to the extent necessary to incur obligations and
22 make expenditures pending the receipt of collections to the
23 Fund pursuant to section 620 of such Act: *Provided fur-*
24 *ther*, That the amount made available under this heading
25 from the general fund shall be reduced as such collections

1 are received during fiscal year 2022 so as to result in a
2 final fiscal year 2022 appropriation from the general fund
3 estimated at zero, and fees pursuant to such section 620
4 shall be modified as necessary to ensure such a final fiscal
5 year 2022 appropriation: *Provided further*, That for the
6 dispute resolution and installation programs, the Sec-
7 retary may assess and collect fees from any program par-
8 ticipant: *Provided further*, That such collections shall be
9 deposited into the Trust Fund, and the Secretary, as pro-
10 vided herein, may use such collections, as well as fees col-
11 lected under section 620 of such Act, for necessary ex-
12 penses of such Act: *Provided further*, That, notwith-
13 standing the requirements of section 620 of such Act, the
14 Secretary may carry out responsibilities of the Secretary
15 under such Act through the use of approved service pro-
16 viders that are paid directly by the recipients of their serv-
17 ices.

18 FEDERAL HOUSING ADMINISTRATION

19 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

20 New commitments to guarantee single family loans
21 insured under the Mutual Mortgage Insurance Fund shall
22 not exceed \$400,000,000,000, to remain available until
23 September 30, 2023: *Provided*, That during fiscal year
24 2022, obligations to make direct loans to carry out the
25 purposes of section 204(g) of the National Housing Act

1 (12 U.S.C. 1710(g)), as amended, shall not exceed
2 \$1,000,000: *Provided further*, That the foregoing amount
3 in the previous proviso shall be for loans to nonprofit and
4 governmental entities in connection with sales of single
5 family real properties owned by the Secretary and for-
6 merly insured under the Mutual Mortgage Insurance
7 Fund: *Provided further*, That for administrative contract
8 expenses of the Federal Housing Administration,
9 \$150,000,000, to remain available until September 30,
10 2023: *Provided further*, That notwithstanding the limita-
11 tion in the first sentence of section 255(g) of the National
12 Housing Act (12 U.S.C. 1715z-20(g)), during fiscal year
13 2022 the Secretary may insure and enter into new com-
14 mitments to insure mortgages under section 255 of the
15 National Housing Act only to the extent that the net cred-
16 it subsidy cost for such insurance does not exceed zero.

17 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

18 New commitments to guarantee loans insured under
19 the General and Special Risk Insurance Funds, as author-
20 ized by sections 238 and 519 of the National Housing Act
21 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
22 \$30,000,000,000 in total loan principal, any part of which
23 is to be guaranteed, to remain available until September
24 30, 2023: *Provided*, That during fiscal year 2022, gross
25 obligations for the principal amount of direct loans, as au-

1 thorized by sections 204(g), 207(l), 238, and 519(a) of
2 the National Housing Act, shall not exceed \$1,000,000,
3 which shall be for loans to nonprofit and governmental en-
4 tities in connection with the sale of single family real prop-
5 erties owned by the Secretary and formerly insured under
6 such Act.

7 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
8 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
9 GUARANTEE PROGRAM ACCOUNT

10 New commitments to issue guarantees to carry out
11 the purposes of section 306 of the National Housing Act,
12 as amended (12 U.S.C. 1721(g)), shall not exceed
13 \$900,000,000,000, to remain available until September
14 30, 2023: *Provided*, That \$35,000,000, to remain avail-
15 able until September 30, 2023, shall be for necessary sala-
16 ries and expenses of the Government National Mortgage
17 Association: *Provided further*, That to the extent that
18 guaranteed loan commitments exceed \$155,000,000,000
19 on or before April 1, 2022, an additional \$100 for nec-
20 essary salaries and expenses shall be available until ex-
21 pended for each \$1,000,000 in additional guaranteed loan
22 commitments (including a pro rata amount for any
23 amount below \$1,000,000), but in no case shall funds
24 made available by this proviso exceed \$3,000,000: *Pro-*
25 *vided further*, That receipts from Commitment and

1 Multiclass fees collected pursuant to title III of the Na-
2 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
3 ited as offsetting collections to this account.

4 POLICY DEVELOPMENT AND RESEARCH

5 RESEARCH AND TECHNOLOGY

6 For contracts, grants, and necessary expenses of pro-
7 grams of research and studies relating to housing and
8 urban problems, not otherwise provided for, as authorized
9 by title V of the Housing and Urban Development Act
10 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
11 out the functions of the Secretary of Housing and Urban
12 Development under section 1(a)(1)(i) of Reorganization
13 Plan No. 2 of 1968, and for technical assistance,
14 \$165,000,000, to remain available until September 30,
15 2023: *Provided*, That with respect to amounts made avail-
16 able under this heading, notwithstanding section 203 of
17 this title, the Secretary may enter into cooperative agree-
18 ments with philanthropic entities, other Federal agencies,
19 State or local governments and their agencies, Indian
20 Tribes, tribally designated housing entities, or colleges or
21 universities for research projects: *Provided further*, That
22 with respect to the preceding proviso, such partners to the
23 cooperative agreements shall contribute at least a 50 per-
24 cent match toward the cost of the project: *Provided fur-*
25 *ther*, That for non-competitive agreements entered into in

1 accordance with the preceding two provisos, the Secretary
2 shall comply with section 2(b) of the Federal Funding Ac-
3 countability and Transparency Act of 2006 (Public Law
4 109–282, 31 U.S.C. note) in lieu of compliance with sec-
5 tion 102(a)(4)(C) of the Department of Housing and
6 Urban Development Reform Act of 1989 (42 U.S.C.
7 3545(a)(4)(C)) with respect to documentation of award
8 decisions: *Provided further*, That prior to obligation of
9 technical assistance funding, the Secretary shall submit a
10 plan to the House and Senate Committees on Appropria-
11 tions on how the Secretary will allocate funding for this
12 activity at least 30 days prior to obligation: *Provided fur-*
13 *ther*, That none of the funds provided under this heading
14 may be available for the doctoral dissertation research
15 grant program: *Provided further*, That an additional
16 \$20,000,000, to remain available until September 30,
17 2024, shall be for competitive grants to nonprofit or gov-
18 ernmental entities to provide legal assistance (including
19 assistance related to pretrial activities, trial activities,
20 post-trial activities and alternative dispute resolution) at
21 no cost to eligible low-income tenants at risk of or subject
22 to eviction: *Provided further*, That in awarding grants
23 under the preceding proviso, the Secretary shall give pref-
24 erence to applicants that include a marketing strategy for
25 residents of areas with high rates of eviction, have experi-

1 ence providing no-cost legal assistance to low-income indi-
2 viduals, including those with limited English proficiency
3 or disabilities, and have sufficient capacity to administer
4 such assistance: *Provided further*, That the Secretary shall
5 ensure, to the extent practicable, that the proportion of
6 eligible tenants living in rural areas who will receive legal
7 assistance with grant funds made available under this
8 heading is not less than the overall proportion of eligible
9 tenants who live in rural areas.

10 FAIR HOUSING AND EQUAL OPPORTUNITY

11 FAIR HOUSING ACTIVITIES

12 For contracts, grants, and other assistance, not oth-
13 erwise provided for, as authorized by title VIII of the Civil
14 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section
15 561 of the Housing and Community Development Act of
16 1987 (42 U.S.C. 3616a), \$85,000,000, to remain available
17 until September 30, 2023: *Provided*, That notwithstanding
18 section 3302 of title 31, United States Code, the Secretary
19 may assess and collect fees to cover the costs of the Fair
20 Housing Training Academy, and may use such funds to
21 develop on-line courses and provide such training: *Pro-*
22 *vided further*, That none of the funds made available under
23 this heading may be used to lobby the executive or legisla-
24 tive branches of the Federal Government in connection
25 with a specific contract, grant, or loan: *Provided further*,

1 That of the funds made available under this heading,
2 \$1,000,000 shall be available to the Secretary for the cre-
3 ation and promotion of translated materials and other pro-
4 grams that support the assistance of persons with limited
5 English proficiency in utilizing the services provided by
6 the Department of Housing and Urban Development.

7 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

8 HOMES

9 LEAD HAZARD REDUCTION

10 (INCLUDING TRANSFER OF FUNDS)

11 For the Lead Hazard Reduction Program, as author-
12 ized by section 1011 of the Residential Lead-Based Paint
13 Hazard Reduction Act of 1992 (42 U.S.C. 4852), and for
14 related activities and assistance, \$460,000,000, to remain
15 available until September 30, 2024: *Provided*, That the
16 amounts made available under this heading are provided
17 as follows:

18 (1) \$310,000,000 shall be for the award of
19 grants pursuant to such section 1011, of which not
20 less than \$105,000,000 shall be provided to areas
21 with the highest lead-based paint abatement needs;

22 (2) \$85,000,000 shall be for the Healthy
23 Homes Initiative, pursuant to sections 501 and 502
24 of the Housing and Urban Development Act of
25 1970, which shall include research, studies, testing,

1 and demonstration efforts, including education and
2 outreach concerning lead-based paint poisoning and
3 other housing-related diseases and hazards, and
4 mitigating housing-related health and safety hazards
5 in housing of low-income families: *Provided*, That
6 \$5,000,000 of such amount shall be for the imple-
7 mentation of projects in up to five communities that
8 are served by both the Healthy Homes Initiative and
9 the Department of Energy weatherization programs
10 to demonstrate whether the coordination of Healthy
11 Homes remediation activities with weatherization ac-
12 tivities achieves cost savings and better outcomes in
13 improving the safety and quality of homes;

14 (3) \$5,000,000 shall be for the award of grants
15 and contracts for research pursuant to sections 1051
16 and 1052 of the Residential Lead-Based Paint Haz-
17 ard Reduction Act of 1992 (42 U.S.C. 4854,
18 4854a);

19 (4) Up to \$2,000,000 in total of the amounts
20 made available under paragraphs (2) and (3) may be
21 transferred to the heading “Research and Tech-
22 nology” for the purposes of conducting research and
23 studies and for use in accordance with the provisos
24 under that heading for non-competitive agreements;
25 and

1 (5) \$60,000,000 of the amounts made available
2 under this heading shall be for a lead-risk assess-
3 ment demonstration for public housing agencies to
4 conduct lead hazard screenings or lead-risk assess-
5 ments during housing quality standards inspections
6 of units in which a family receiving assistance under
7 section 8(o) of the U.S. Housing Act of 1937 (42
8 U.S.C. 1437f(o)) resides or expects to reside, and
9 has or expects to have a child under age 6 residing
10 in the unit, while preserving rental housing avail-
11 ability and affordability:

12 *Provided further*, That for purposes of environmental re-
13 view, pursuant to the National Environmental Policy Act
14 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
15 law that further the purposes of such Act, a grant under
16 the Healthy Homes Initiative, or the Lead Technical Stud-
17 ies program under this heading or under prior appropria-
18 tions Acts for such purposes under this heading, shall be
19 considered to be funds for a special project for purposes
20 of section 305(c) of the Multifamily Housing Property
21 Disposition Reform Act of 1994 (42 U.S.C. 3547): *Pro-*
22 *vided further*, That each applicant for a grant or coopera-
23 tive agreement under this heading shall certify adequate
24 capacity that is acceptable to the Secretary to carry out
25 the proposed use of funds pursuant to a notice of funding

1 opportunity: *Provided further*, That amounts made avail-
2 able under this heading in this or prior appropriations
3 Acts, still remaining available, may be used for any pur-
4 pose under this heading notwithstanding the purpose for
5 which such amounts were appropriated if a program com-
6 petition is undersubscribed and there are other program
7 competitions under this heading that are oversubscribed.

8 INFORMATION TECHNOLOGY FUND

9 (INCLUDING TRANSFER OF FUNDS)

10 For modifications to and infrastructure for Depart-
11 ment-wide and program-specific information technology
12 systems, for the continuing operation and maintenance of
13 both Department-wide and program-specific information
14 systems, and for program-related maintenance activities,
15 \$278,200,000 shall remain available until September 30,
16 2023: *Provided*, That any amounts transferred to this
17 Fund under this Act shall remain available until Sep-
18 tember 30, 2025.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary salaries and expenses of the Office of
21 Inspector General in carrying out the Inspector General
22 Act of 1978, as amended, \$145,000,000: *Provided*, That
23 the Inspector General shall have independent authority
24 over all personnel and acquisition issues within this office.

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

5 SEC. 201. Fifty percent of the amounts of budget au-
6 thority, or in lieu thereof 50 percent of the cash amounts
7 associated with such budget authority, that are recaptured
8 from projects described in section 1012(a) of the Stewart
9 B. McKinney Homeless Assistance Amendments Act of
10 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
11 case of cash, shall be remitted to the Treasury, and such
12 amounts of budget authority or cash recaptured and not
13 rescinded or remitted to the Treasury shall be used by
14 State housing finance agencies or local governments or
15 local housing agencies with projects approved by the Sec-
16 retary of Housing and Urban Development for which set-
17 tlement occurred after January 1, 1992, in accordance
18 with such section. Notwithstanding the previous sentence,
19 the Secretary may award up to 15 percent of the budget
20 authority or cash recaptured and not rescinded or remitted
21 to the Treasury to provide project owners with incentives
22 to refinance their project at a lower interest rate.

23 SEC. 202. None of the funds made available by this
24 Act may be used during fiscal year 2022 to investigate
25 or prosecute under the Fair Housing Act any otherwise

1 lawful activity engaged in by one or more persons, includ-
2 ing the filing or maintaining of a nonfrivolous legal action,
3 that is engaged in solely for the purpose of achieving or
4 preventing action by a Government official or entity, or
5 a court of competent jurisdiction.

6 SEC. 203. Except as explicitly provided in law, any
7 grant, cooperative agreement or other assistance made
8 pursuant to title II of this Act shall be made on a competi-
9 tive basis and in accordance with section 102 of the De-
10 partment of Housing and Urban Development Reform Act
11 of 1989 (42 U.S.C. 3545).

12 SEC. 204. Funds of the Department of Housing and
13 Urban Development subject to the Government Corpora-
14 tion Control Act or section 402 of the Housing Act of
15 1950 shall be available, without regard to the limitations
16 on administrative expenses, for legal services on a contract
17 or fee basis, and for utilizing and making payment for
18 services and facilities of the Federal National Mortgage
19 Association, Government National Mortgage Association,
20 Federal Home Loan Mortgage Corporation, Federal Fi-
21 nancing Bank, Federal Reserve banks or any member
22 thereof, Federal Home Loan banks, and any insured bank
23 within the meaning of the Federal Deposit Insurance Cor-
24 poration Act, as amended (12 U.S.C. 1811–1).

1 SEC. 205. Unless otherwise provided for in this Act
2 or through a reprogramming of funds, no part of any ap-
3 propriation for the Department of Housing and Urban
4 Development shall be available for any program, project,
5 or activity in excess of amounts set forth in the budget
6 estimates submitted to Congress.

7 SEC. 206. Corporations and agencies of the Depart-
8 ment of Housing and Urban Development which are sub-
9 ject to the Government Corporation Control Act are here-
10 by authorized to make such expenditures, within the limits
11 of funds and borrowing authority available to each such
12 corporation or agency and in accordance with law, and to
13 make such contracts and commitments without regard to
14 fiscal year limitations as provided by section 104 of such
15 Act as may be necessary in carrying out the programs set
16 forth in the budget for 2022 for such corporation or agen-
17 cy except as hereinafter provided: *Provided*, That collec-
18 tions of these corporations and agencies may be used for
19 new loan or mortgage purchase commitments only to the
20 extent expressly provided for in this Act (unless such loans
21 are in support of other forms of assistance provided for
22 in this or prior appropriations Acts), except that this pro-
23 viso shall not apply to the mortgage insurance or guaranty
24 operations of these corporations, or where loans or mort-

1 gage purchases are necessary to protect the financial in-
2 terest of the United States Government.

3 SEC. 207. The Secretary shall provide quarterly re-
4 ports to the House and Senate Committees on Appropria-
5 tions regarding all uncommitted, unobligated, recaptured,
6 and excess funds in each program and activity within the
7 jurisdiction of the Department and shall submit addi-
8 tional, updated budget information to these Committees
9 upon request.

10 SEC. 208. None of the funds made available by this
11 title may be used for an audit of the Government National
12 Mortgage Association that makes applicable requirements
13 under the Federal Credit Reform Act of 1990 (2 U.S.C.
14 661 et seq.).

15 SEC. 209. (a) Notwithstanding any other provision
16 of law, subject to the conditions listed under this section,
17 for fiscal years 2022 and 2023, the Secretary of Housing
18 and Urban Development may authorize the transfer of
19 some or all project-based assistance, debt held or insured
20 by the Secretary and statutorily required low-income and
21 very low-income use restrictions if any, associated with one
22 or more multifamily housing project or projects to another
23 multifamily housing project or projects.

24 (b) PHASED TRANSFERS.—Transfers of project-
25 based assistance under this section may be done in phases

1 to accommodate the financing and other requirements re-
2 lated to rehabilitating or constructing the project or
3 projects to which the assistance is transferred, to ensure
4 that such project or projects meet the standards under
5 subsection (c).

6 (c) The transfer authorized in subsection (a) is sub-
7 ject to the following conditions:

8 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

9 (A) For occupied units in the transferring
10 project: The number of low-income and very
11 low-income units and the configuration (i.e.,
12 bedroom size) provided by the transferring
13 project shall be no less than when transferred
14 to the receiving project or projects and the net
15 dollar amount of Federal assistance provided to
16 the transferring project shall remain the same
17 in the receiving project or projects.

18 (B) For unoccupied units in the transfer-
19 ring project: The Secretary may authorize a re-
20 duction in the number of dwelling units in the
21 receiving project or projects to allow for a re-
22 configuration of bedroom sizes to meet current
23 market demands, as determined by the Sec-
24 retary and provided there is no increase in the
25 project-based assistance budget authority.

1 (2) The transferring project shall, as deter-
2 mined by the Secretary, be either physically obsolete
3 or economically nonviable, or be reasonably expected
4 to become economically nonviable when complying
5 with state or Federal requirements for community
6 integration and reduced concentration of individuals
7 with disabilities.

8 (3) The receiving project or projects shall meet
9 or exceed applicable physical standards established
10 by the Secretary.

11 (4) The owner or mortgagor of the transferring
12 project shall notify and consult with the tenants re-
13 siding in the transferring project and provide a cer-
14 tification of approval by all appropriate local govern-
15 mental officials.

16 (5) The tenants of the transferring project who
17 remain eligible for assistance to be provided by the
18 receiving project or projects shall not be required to
19 vacate their units in the transferring project or
20 projects until new units in the receiving project are
21 available for occupancy.

22 (6) The Secretary determines that this transfer
23 is in the best interest of the tenants.

24 (7) If either the transferring project or the re-
25 ceiving project or projects meets the condition speci-

1 fied in subsection (d)(2)(A), any lien on the receiv-
2 ing project resulting from additional financing ob-
3 tained by the owner shall be subordinate to any
4 FHA-insured mortgage lien transferred to, or placed
5 on, such project by the Secretary, except that the
6 Secretary may waive this requirement upon deter-
7 mination that such a waiver is necessary to facilitate
8 the financing of acquisition, construction, and/or re-
9 habilitation of the receiving project or projects.

10 (8) If the transferring project meets the re-
11 quirements of subsection (d)(2), the owner or mort-
12 gagor of the receiving project or projects shall exe-
13 cute and record either a continuation of the existing
14 use agreement or a new use agreement for the
15 project where, in either case, any use restrictions in
16 such agreement are of no lesser duration than the
17 existing use restrictions.

18 (9) The transfer does not increase the cost (as
19 defined in section 502 of the Congressional Budget
20 Act of 1974(2 U.S.C. 661a)) of any FHA-insured
21 mortgage, except to the extent that appropriations
22 are provided in advance for the amount of any such
23 increased cost.

24 (d) For purposes of this section—

1 (1) the terms “low-income” and “very low-in-
2 come” shall have the meanings provided by the stat-
3 ute and/or regulations governing the program under
4 which the project is insured or assisted;

5 (2) the term “multifamily housing project”
6 means housing that meets one of the following con-
7 ditions—

8 (A) housing that is subject to a mortgage
9 insured under the National Housing Act;

10 (B) housing that has project-based assist-
11 ance attached to the structure including
12 projects undergoing mark to market debt re-
13 structuring under the Multifamily Assisted
14 Housing Reform and Affordability Housing Act;

15 (C) housing that is assisted under section
16 202 of the Housing Act of 1959 (12 U.S.C.
17 1701q);

18 (D) housing that is assisted under section
19 202 of the Housing Act of 1959 (12 U.S.C.
20 1701q), as such section existed before the en-
21 actment of the Cranston-Gonzales National Af-
22 fordable Housing Act;

23 (E) housing that is assisted under section
24 811 of the Cranston-Gonzales National Afford-
25 able Housing Act (42 U.S.C. 8013); or

1 (F) housing or vacant land that is subject
2 to a use agreement;

3 (3) the term “project-based assistance”
4 means—

5 (A) assistance provided under section 8(b)
6 of the United States Housing Act of 1937 (42
7 U.S.C. 1437f(b));

8 (B) assistance for housing constructed or
9 substantially rehabilitated pursuant to assist-
10 ance provided under section 8(b)(2) of such Act
11 (as such section existed immediately before Oc-
12 tober 1, 1983);

13 (C) rent supplement payments under sec-
14 tion 101 of the Housing and Urban Develop-
15 ment Act of 1965 (12 U.S.C. 1701s);

16 (D) interest reduction payments under sec-
17 tion 236 and/or additional assistance payments
18 under section 236(f)(2) of the National Hous-
19 ing Act (12 U.S.C. 1715z–1);

20 (E) assistance payments made under sec-
21 tion 202(c)(2) of the Housing Act of 1959 (12
22 U.S.C. 1701q(c)(2)); and

23 (F) assistance payments made under sec-
24 tion 811(d)(2) of the Cranston-Gonzalez Na-

1 tional Affordable Housing Act (42 U.S.C.
2 8013(d)(2));

3 (4) the term “receiving project or projects”
4 means the multifamily housing project or projects to
5 which some or all of the project-based assistance,
6 debt, and statutorily required low-income and very
7 low-income use restrictions are to be transferred;

8 (5) the term “transferring project” means the
9 multifamily housing project which is transferring
10 some or all of the project-based assistance, debt, and
11 the statutorily required low-income and very low-in-
12 come use restrictions to the receiving project or
13 projects; and

14 (6) the term “Secretary” means the Secretary
15 of Housing and Urban Development.

16 (e) RESEARCH REPORT.—The Secretary shall con-
17 duct an evaluation of the transfer authority under this sec-
18 tion, including the effect of such transfers on the oper-
19 ational efficiency, contract rents, physical and financial
20 conditions, and long-term preservation of the affected
21 properties.

22 SEC. 210. (a) No assistance shall be provided under
23 section 8 of the United States Housing Act of 1937 (42
24 U.S.C. 1437f) to any individual who—

1 (1) is enrolled as a student at an institution of
2 higher education (as defined under section 102 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1002));

5 (2) is under 24 years of age;

6 (3) is not a veteran;

7 (4) is unmarried;

8 (5) does not have a dependent child;

9 (6) is not a person with disabilities, as such
10 term is defined in section 3(b)(3)(E) of the United
11 States Housing Act of 1937 (42 U.S.C.
12 1437a(b)(3)(E)) and was not receiving assistance
13 under such section 8 as of November 30, 2005;

14 (7) is not a youth who left foster care at age
15 14 or older and is at risk of becoming homeless; and

16 (8) is not otherwise individually eligible, or has
17 parents who, individually or jointly, are not eligible,
18 to receive assistance under section 8 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437f).

20 (b) For purposes of determining the eligibility of a
21 person to receive assistance under section 8 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
23 cial assistance (in excess of amounts received for tuition
24 and any other required fees and charges) that an indi-
25 vidual receives under the Higher Education Act of 1965

1 (20 U.S.C. 1001 et seq.), from private sources, or from
2 an institution of higher education (as defined under sec-
3 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
4 1002)), shall be considered income to that individual, ex-
5 cept for a person over the age of 23 with dependent chil-
6 dren.

7 SEC. 211. The funds made available for Native Alas-
8 kans under paragraph (1) under the heading “Native
9 American Programs” in title II of this Act shall be allo-
10 cated to the same Native Alaskan housing block grant re-
11 cipients that received funds in fiscal year 2005, and only
12 such recipients shall be eligible to apply for funds made
13 available under paragraph (2) of such heading.

14 SEC. 212. Notwithstanding any other provision of
15 law, in fiscal year 2022, in managing and disposing of any
16 multifamily property that is owned or has a mortgage held
17 by the Secretary of Housing and Urban Development, and
18 during the process of foreclosure on any property with a
19 contract for rental assistance payments under section 8
20 of the United States Housing Act of 1937 (42 U.S.C.
21 1437f) or any other Federal programs, the Secretary shall
22 maintain any rental assistance payments under section 8
23 of the United States Housing Act of 1937 and other pro-
24 grams that are attached to any dwelling units in the prop-
25 erty. To the extent the Secretary determines, in consulta-

tion with the tenants and the local government that such a multifamily property owned or having a mortgage held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (in this section “MAHRAA”) (42 U.S.C. 1437f note), and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described in this section, the contract and allowable rent

1 levels on such properties shall be subject to the require-
2 ments under section 524 of MAHRAA.

3 SEC. 213. Public housing agencies that own and oper-
4 ate 400 or fewer public housing units may elect to be ex-
5 empt from any asset management requirement imposed by
6 the Secretary in connection with the operating fund rule:
7 *Provided*, That an agency seeking a discontinuance of a
8 reduction of subsidy under the operating fund formula
9 shall not be exempt from asset management requirements.

10 SEC. 214. With respect to the use of amounts pro-
11 vided in this Act and in future Acts for the operation, cap-
12 ital improvement, and management of public housing as
13 authorized by sections 9(d) and 9(e) of the United States
14 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-
15 retary shall not impose any requirement or guideline relat-
16 ing to asset management that restricts or limits in any
17 way the use of capital funds for central office costs pursu-
18 ant to paragraph (1) or (2) of section 9(g) of the United
19 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):
20 *Provided*, That a public housing agency may not use cap-
21 ital funds authorized under section 9(d) for activities that
22 are eligible under section 9(e) for assistance with amounts
23 from the operating fund in excess of the amounts per-
24 mitted under paragraph (1) or (2) of section 9(g).

1 SEC. 215. No official or employee of the Department
2 of Housing and Urban Development shall be designated
3 as an allotment holder unless the Office of the Chief Fi-
4 nancial Officer has determined that such allotment holder
5 has implemented an adequate system of funds control and
6 has received training in funds control procedures and di-
7 rectives. The Chief Financial Officer shall ensure that
8 there is a trained allotment holder for each HUD appro-
9 priation under the accounts “Executive Offices”, “Admin-
10 istrative Support Offices”, “Program Offices”, “Govern-
11 ment National Mortgage Association—Guarantees of
12 Mortgage-Backed Securities Loan Guarantee Program
13 Account”, and “Office of Inspector General” within the
14 Department of Housing and Urban Development.

15 SEC. 216. The Secretary shall, for fiscal year 2022,
16 notify the public through the Federal Register and other
17 means, as determined appropriate, of the issuance of a no-
18 tice of the availability of assistance or notice of funding
19 opportunity (NOFO) for any program or discretionary
20 fund administered by the Secretary that is to be competi-
21 tively awarded. Notwithstanding any other provision of
22 law, for fiscal year 2022, the Secretary may make the
23 NOFO available only on the Internet at the appropriate
24 Government website or through other electronic media, as
25 determined by the Secretary.

1 SEC. 217. Payment of attorney fees in program-re-
2 lated litigation shall be paid from the individual program
3 office and Office of General Counsel salaries and expenses
4 appropriations. The annual budget submission for the pro-
5 gram offices and the Office of General Counsel shall in-
6 clude any such projected litigation costs for attorney fees
7 as a separate line item request.

8 SEC. 218. (a)(1) Except as provided in paragraph
9 (2), the Secretary may transfer up to 10 percent or
10 \$5,000,000, whichever is less, of funds appropriated for
11 any office under the headings “Administrative Support
12 Offices” or “Program Offices” to any other such office
13 under such heading: *Provided*, That no appropriation for
14 any such office or account shall be increased or decreased
15 by more than 10 percent or \$5,000,000, whichever is less,
16 without prior written approval of the House and Senate
17 Committees on Appropriations: *Provided further*, That the
18 Secretary shall provide notification to such Committees
19 not less than 3 business days in advance of any such
20 transfers under this section up to 10 percent or
21 \$5,000,000, whichever is less.

22 (2) The authority under paragraph (1) to
23 transfer funds shall not apply to the Office of Fair
24 Housing and Equal Opportunity, the Office of Lead

1 Hazard Control and Healthy Homes, or the Office
2 of Departmental Equal Employment Opportunity.

3 (b) The Secretary is authorized to transfer up to 10
4 percent of funds appropriated for any office under the
5 headings “Administrative Support Offices” or “Program
6 Offices” to the Office of Fair Housing and Equal Oppor-
7 tunity, the Office of Lead Hazard Control and Healthy
8 Homes, or the Office of Departmental Equal Employment
9 Opportunity: *Provided*, That no amounts may be trans-
10 ferred pursuant to this subparagraph unless the Secretary
11 provides notification to such Committees not less than 3
12 business days in advance of any such transfers under this
13 subsection.

14 SEC. 219. (a) Any entity receiving housing assistance
15 payments shall maintain decent, safe, and sanitary condi-
16 tions, as determined by the Secretary, and comply with
17 any standards under applicable State or local laws, rules,
18 ordinances, or regulations relating to the physical condi-
19 tion of any property covered under a housing assistance
20 payment contract.

21 (b) The Secretary shall take action under subsection
22 (c) when a multifamily housing project with a contract
23 under section 8 of the United States Housing Act of 1937
24 (42 U.S.C. 1437f) or a contract for similar project-based
25 assistance—

1 (1) receives a Uniform Physical Condition
2 Standards (UPCS) score of 60 or less; or

3 (2) fails to certify in writing to the Secretary
4 within 3 days that all Exigent Health and Safety de-
5 ficiencies identified by the inspector at the project
6 have been corrected.

7 Such requirements shall apply to insured and noninsured
8 projects with assistance attached to the units under sec-
9 tion 8 of the United States Housing Act of 1937 (42
10 U.S.C. 1437f), but shall not apply to such units assisted
11 under section 8(o)(13) of such Act (42 U.S.C.
12 1437f(o)(13)) or to public housing units assisted with cap-
13 ital or operating funds under section 9 of the United
14 States Housing Act of 1937 (42 U.S.C. 1437g).

15 (c)(1) Within 15 days of the issuance of the Real Es-
16 tate Assessment Center (“REAC”) inspection, the Sec-
17 retary shall provide the owner with a Notice of Default
18 with a specified timetable, determined by the Secretary,
19 for correcting all deficiencies. The Secretary shall provide
20 a copy of the Notice of Default to the tenants, the local
21 government, any mortgagees, and any contract adminis-
22 trator. If the owner’s appeal results in a UPCS score of
23 60 or above, the Secretary may withdraw the Notice of
24 Default.

1 (2) At the end of the time period for correcting all
2 deficiencies specified in the Notice of Default, if the owner
3 fails to fully correct such deficiencies, the Secretary may—

4 (A) require immediate replacement of project
5 management with a management agent approved by
6 the Secretary;

7 (B) impose civil money penalties, which shall be
8 used solely for the purpose of supporting safe and
9 sanitary conditions at applicable properties, as des-
10 ignated by the Secretary, with priority given to the
11 tenants of the property affected by the penalty;

12 (C) abate the section 8 contract, including par-
13 tial abatement, as determined by the Secretary, until
14 all deficiencies have been corrected;

15 (D) pursue transfer of the project to an owner,
16 approved by the Secretary under established proce-
17 dures, who will be obligated to promptly make all re-
18 quired repairs and to accept renewal of the assist-
19 ance contract if such renewal is offered;

20 (E) transfer the existing section 8 contract to
21 another project or projects and owner or owners;

22 (F) pursue exclusionary sanctions, including
23 suspensions or debarments from Federal programs;

24 (G) seek judicial appointment of a receiver to
25 manage the property and cure all project deficiencies

1 or seek a judicial order of specific performance re-
2 quiring the owner to cure all project deficiencies;

3 (H) work with the owner, lender, or other re-
4 lated party to stabilize the property in an attempt
5 to preserve the property through compliance, trans-
6 fer of ownership, or an infusion of capital provided
7 by a third-party that requires time to effectuate; or

8 (I) take any other regulatory or contractual
9 remedies available as deemed necessary and appro-
10 priate by the Secretary.

11 (d) The Secretary shall take appropriate steps to en-
12 sure that project-based contracts remain in effect, subject
13 to the exercise of contractual abatement remedies to assist
14 relocation of tenants for major threats to health and safety
15 after written notice to the affected tenants. To the extent
16 the Secretary determines, in consultation with the tenants
17 and the local government, that the property is not feasible
18 for continued rental assistance payments under such sec-
19 tion 8 or other programs, based on consideration of—

20 (1) the costs of rehabilitating and operating the
21 property and all available Federal, State, and local
22 resources, including rent adjustments under section
23 524 of the Multifamily Assisted Housing Reform
24 and Affordability Act of 1997 (“MAHRAA”); and

1 (2) environmental conditions that cannot be
2 remedied in a cost-effective fashion, the Secretary
3 may contract for project-based rental assistance pay-
4 ments with an owner or owners of other existing
5 housing properties, or provide other rental assist-
6 ance.

7 (e) The Secretary shall report quarterly on all prop-
8 erties covered by this section that are assessed through
9 the Real Estate Assessment Center and have UPCS phys-
10 ical inspection scores of less than 60 or have received an
11 unsatisfactory management and occupancy review within
12 the past 36 months. The report shall include—

13 (1) identification of the enforcement actions
14 being taken to address such conditions, including
15 imposition of civil money penalties and termination
16 of subsidies, and identification of properties that
17 have such conditions multiple times;

18 (2) identification of actions that the Depart-
19 ment of Housing and Urban Development is taking
20 to protect tenants of such identified properties; and

21 (3) any administrative or legislative rec-
22 ommendations to further improve the living condi-
23 tions at properties covered under a housing assist-
24 ance payment contract.

1 This report shall be submitted to the Senate and House
2 Committees on Appropriations not later than 30 days
3 after the enactment of this Act, and on the first business
4 day of each Federal fiscal year quarter thereafter while
5 this section remains in effect.

6 SEC. 220. None of the funds made available by this
7 Act, or any other Act, for purposes authorized under sec-
8 tion 8 (only with respect to the tenant-based rental assist-
9 ance program) and section 9 of the United States Housing
10 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
11 any public housing agency for any amount of salary, in-
12 cluding bonuses, for the chief executive officer of which,
13 or any other official or employee of which, that exceeds
14 the annual rate of basic pay payable for a position at level
15 IV of the Executive Schedule at any time during any pub-
16 lic housing agency fiscal year 2022.

17 SEC. 221. None of the funds made available by this
18 Act and provided to the Department of Housing and
19 Urban Development may be used to make a grant award
20 unless the Secretary notifies the House and Senate Com-
21 mittees on Appropriations not less than 3 full business
22 days before any project, State, locality, housing authority,
23 Tribe, nonprofit organization, or other entity selected to
24 receive a grant award is announced by the Department
25 or its offices.

1 SEC. 222. None of the funds made available in this
2 Act shall be used by the Federal Housing Administration,
3 the Government National Mortgage Association, or the
4 Department of Housing and Urban Development to in-
5 sure, securitize, or establish a Federal guarantee of any
6 mortgage or mortgage backed security that refinances or
7 otherwise replaces a mortgage that has been subject to
8 eminent domain condemnation or seizure, by a State, mu-
9 nicipality, or any other political subdivision of a State.

10 SEC. 223. None of the funds made available by this
11 Act may be used to terminate the status of a unit of gen-
12 eral local government as a metropolitan city (as defined
13 in section 102 of the Housing and Community Develop-
14 ment Act of 1974 (42 U.S.C. 5302)) with respect to
15 grants under section 106 of such Act (42 U.S.C. 5306).

16 SEC. 224. Amounts made available by this Act that
17 are appropriated, allocated, advanced on a reimbursable
18 basis, or transferred to the Office of Policy Development
19 and Research of the Department of Housing and Urban
20 Development and functions thereof, for research, evalua-
21 tion, or statistical purposes, and that are unexpended at
22 the time of completion of a contract, grant, or cooperative
23 agreement, may be deobligated and shall immediately be-
24 come available and may be reobligated in that fiscal year
25 or the subsequent fiscal year for the research, evaluation,

1 or statistical purposes for which the amounts are made
2 available to that Office subject to reprogramming require-
3 ments in section 405 of this Act.

4 SEC. 225. None of the funds provided in this Act or
5 any other Act may be used for awards, including perform-
6 ance, special act, or spot, for any employee of the Depart-
7 ment of Housing and Urban Development subject to ad-
8 ministrative discipline (including suspension from work),
9 in this fiscal year, but this prohibition shall not be effec-
10 tive prior to the effective date of any such administrative
11 discipline or after any final decision over-turning such dis-
12 cipline.

13 SEC. 226. With respect to grant amounts awarded
14 under the heading “Homeless Assistance Grants” for fis-
15 cal years 2015 through 2022 for the Continuum of Care
16 (CoC) program as authorized under subtitle C of title IV
17 of the McKinney-Vento Homeless Assistance Act, costs
18 paid by program income of grant recipients may count to-
19 ward meeting the recipient’s matching requirements, pro-
20 vided the costs are eligible CoC costs that supplement the
21 recipient’s CoC program.

22 SEC. 227. (a) From amounts made available under
23 this title under the heading “Homeless Assistance
24 Grants”, the Secretary may award 1-year transition
25 grants to recipients of funds for activities under subtitle

1 C of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11381 et seq.) to transition from one Continuum
3 of Care program component to another.

4 (b) In order to be eligible to receive a transition
5 grant, the funding recipient shall have the consent of the
6 continuum of care and meet standards determined by the
7 Secretary.

8 SEC. 228. The Promise Zone designations and Prom-
9 ise Zone Designation Agreements entered into pursuant
10 to such designations, made by the Secretary in prior fiscal
11 years, shall remain in effect in accordance with the terms
12 and conditions of such agreements.

13 SEC. 229. None of the funds made available by this
14 Act may be used to establish and apply review criteria,
15 including rating factors or preference points, for participa-
16 tion in or coordination with EnVision Centers, in the eval-
17 uation, selection, and award of any funds made available
18 and requiring competitive selection under this Act, except
19 with respect to any such funds otherwise authorized for
20 EnVision Center purposes under this Act.

21 SEC. 230. None of the funds made available by this
22 or any prior Act may be used to require or enforce any
23 changes to the terms and conditions of the public housing
24 annual contributions contract between the Secretary and
25 any public housing agency, as such contract was in effect

1 as of December 31, 2017, unless such changes are mutu-
2 ally agreed upon by the Secretary and such agency: *Pro-*
3 *vided*, That such agreement by an agency may be indi-
4 cated only by a written amendment to the terms and con-
5 ditions containing the duly authorized signature of its
6 chief executive: *Provided further*, That the Secretary may
7 not withhold funds to compel such agreement by an agen-
8 cy which certifies to its compliance with its contract.

9 SEC. 231. (a) None of the amounts made available
10 in this Act may be used to consider Family Self-Suffi-
11 ciency performance measures or performance scores in de-
12 termining funding awards for programs receiving Family
13 Self-Sufficiency program coordinator funding provided in
14 this Act.

15 (b) Subsection (a) shall have no effect after the appli-
16 cability date established by the Secretary in a notice up-
17 dating the “Family Self-Sufficiency Performance Meas-
18 urement System (‘Composite Score’)” published in the
19 Federal Register on November 15, 2018 (83 Fed. Reg.
20 57493).

21 SEC. 232. Any public housing agency designated as
22 a Moving to Work agency pursuant to section 239 of divi-
23 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
24 129 Stat. 2897) may, upon such designation, use funds
25 (except for special purpose funding, including special pur-

1 pose vouchers) previously allocated to any such public
2 housing agency under section 8 or 9 of the United States
3 Housing Act of 1937, including any reserve funds held by
4 the public housing agency or funds held by the Depart-
5 ment of Housing and Urban Development, pursuant to the
6 authority for use of section 8 or 9 funding provided under
7 such section and section 204 of title II of the Departments
8 of Veterans Affairs and Housing and Urban Development
9 and Independent Agencies Appropriations Act, 1996
10 (Public Law 104–134; 110 Stat. 1321–28), notwith-
11 standing the purposes for which such funds were appro-
12 priated.

13 SEC. 233. None of the amounts made available by
14 this Act may be used to prohibit any public housing agen-
15 cy under receivership or the direction of a Federal monitor
16 from applying for, receiving, or using funds made available
17 under the heading “Public Housing Fund” for competitive
18 grants to evaluate and reduce lead-based paint hazards in
19 this Act or that remain available and not awarded from
20 prior Acts, or be used to prohibit a public housing agency
21 from using such funds to carry out any required work pur-
22 suant to a settlement agreement, consent decree, vol-
23 untary agreement, or similar document for a violation of
24 the Lead Safe Housing or Lead Disclosure Rules.

1 SEC. 234. None of the funds made available by this
2 title may be used to issue rules or guidance in contraven-
3 tion of section 210 of Public Law 115–254 (132 Stat.
4 3442) or section 312 of the Robert T. Stafford Disaster
5 Relief and Emergency Assistance Act (42 U.S.C. 5155).

6 SEC. 235. (a) Funds previously made available in the
7 Consolidated Appropriations Act, 2014 (Public Law 113–
8 76) for the “Choice Neighborhoods Initiative” that were
9 available for obligation through fiscal year 2016 are to re-
10 main available through fiscal year 2022 for the liquidation
11 of valid obligations incurred in fiscal years 2014 through
12 2016.

13 (b) Funds previously made available in the Consoli-
14 dated and Further Continuing Appropriations Act, 2015
15 (Public Law 113–235) for the “Choice Neighborhoods Ini-
16 tiative” that were available for obligation through fiscal
17 year 2017 are to remain available through fiscal year 2023
18 for the liquidation of valid obligations incurred in fiscal
19 years 2015 through 2017.

20 (c) Funds previously made available in the Consoli-
21 dated Appropriations Act, 2016 (Public Law 114–113) for
22 the “Choice Neighborhoods Initiative” that were available
23 for obligation through fiscal year 2018 are to remain avail-
24 able through fiscal year 2024 for the liquidation of valid
25 obligations incurred in fiscal years 2016 through 2018.

1 (d) Funds previously made available in the Consoli-
2 dated Appropriations Act, 2017 (Public Law 115–31) for
3 the “Choice Neighborhoods Initiative” that were available
4 for obligation through fiscal year 2019 are to remain avail-
5 able through fiscal year 2025 for the liquidation of valid
6 obligations incurred in fiscal years 2017 through 2019.

7 (e) Funds previously made available in the Consoli-
8 dated Appropriations Act, 2018 (Public Law 115–141) for
9 the “Choice Neighborhoods Initiative” that were available
10 for obligation through fiscal year 2020 are to remain avail-
11 able through fiscal year 2026 for the liquidation of valid
12 obligations incurred in fiscal years 2018 through 2020.

13 (f) Funds previously made available in the Consoli-
14 dated Appropriations Act, 2019 (Public Law 116–6) for
15 the “Choice Neighborhoods Initiative” that were available
16 for obligation through fiscal year 2021 are to remain avail-
17 able through fiscal year 2027 for the liquidation of valid
18 obligations incurred in fiscal years 2019 through 2021.

19 (g) Funds previously made available in the Further
20 Consolidated Appropriations Act, 2020 (Public Law 116–
21 94) for the “Choice Neighborhoods Initiative” that were
22 available for obligation through fiscal year 2022 are to re-
23 main available through fiscal year 2028 for the liquidation
24 of valid obligations incurred in fiscal years 2020 through
25 2022.

1 (h)(1) Subject to paragraph (2), this section shall be-
2 come effective immediately upon enactment of this Act.

3 (2) If this Act is enacted after September 30,
4 2021, subsection (a) shall be applied as if it were in
5 effect on September 30, 2021.

6 SEC. 236. (a) Amounts made available in paragraph
7 (1) under the heading “Native American Programs” in
8 title XII of division B of the Coronavirus Aid, Relief, and
9 Economic Security Act (Public Law 116–136) which were
10 allocated to Indian tribes or tribally designated housing
11 entities, and which are not accepted as of the date of en-
12 actment of this Act, are voluntarily returned, or otherwise
13 recaptured for any reason, may be used by the Secretary
14 to make additional grants for the same purpose and under
15 the same terms and conditions as amounts appropriated
16 by section 11003(a)(2) of the American Rescue Plan Act
17 of 2021 (Public Law 117–2).

18 (b) Amounts repurposed by this section that were
19 previously designated by the Congress as an emergency
20 requirement pursuant to the Balanced Budget and Emer-
21 gency Deficit Control Act of 1985 or a concurrent resolu-
22 tion on the budget are designated by the Congress as an
23 emergency requirement pursuant to section 1(f) of H. Res.
24 467 of the 117th Congress as engrossed in the House of
25 Representatives on June 14, 2021.

1 SEC. 237. (a) Funds previously made available in
2 chapter 9 of title X of the Disaster Relief Appropriations
3 Act, 2013 (Public Law 113–2, division A; 127 Stat. 36)
4 under the heading “Department of Housing and Urban
5 Development—Community Planning and Development—
6 Community Development Fund” that were available for
7 obligation through fiscal year 2017 are to remain available
8 until expended for the liquidation of valid obligations in-
9 curred in fiscal years 2013 through 2017.

10 (b) Notwithstanding any other provision of law, in the
11 case of any grantee of funds referred to in subsection (a)
12 of this section that provides assistance that duplicates
13 benefits available to a person for the same purpose from
14 another source, the grantee itself shall—

15 (1) be subject to remedies for noncompliance; or
16 (2) bear responsibility for absorbing such cost
17 of duplicative benefits and returning an amount
18 equal to any duplicative benefits paid to the grant-
19 ee’s funds available for use under such heading, un-
20 less the Secretary, upon the request of a grantee
21 issues a public determination by publication in the
22 Federal Register that it is not in the best interest
23 of the Federal Government to pursue such remedies.

24 (c) Notwithstanding any other provision of law, any
25 grantee of funds referred to in subsection (a) of this sec-

1 tion may request a waiver from the Secretary of Housing
2 and Urban Development of any recoupment by the Sec-
3 retary of such funds for amounts owed by persons who
4 have received such assistance from such funds and who
5 have been defrauded, or after receiving assistance, have
6 filed for bankruptcy, gone through a foreclosure procedure
7 on property that received such assistance, or are deceased.
8 If the grantee self-certifies to the Secretary in such re-
9 quest that it has verified that the individual conditions of
10 each person it is requesting a waiver for meets one of the
11 conditions specified in the preceding sentence, the Sec-
12 retary may grant such waivers on the basis of grantee self-
13 certification, issue a public determination by publication
14 in the Federal Register that it is not in the best interest
15 of the Federal Government to pursue such recoupment,
16 and may conduct oversight to verify grantee self-certifi-
17 cation and subject the grantee to remedies for noncompli-
18 ance for any amounts that have not met such require-
19 ments.

20 (d) Amounts repurposed pursuant to this section that
21 were previously designated by the Congress as an emer-
22 gency requirement pursuant to the Balanced Budget and
23 Emergency Deficit Control Act of 1985 or a concurrent
24 resolution on the budget are designated by the Congress
25 as an emergency requirement pursuant to section 1(f) of

1 H. Res. 467 of the 117th Congress as engrossed in the
2 House of Representatives on June 14, 2021.

3 SEC. 238. None of the funds made available to the
4 Department of Housing and Urban Development by this
5 or any other Act may be used to implement, administer,
6 enforce, or in any way make effective the proposed rule
7 entitled “Housing and Community Development Act of
8 1980: Verification of Eligible Status”, issued by the De-
9 partment of Housing and Urban Development on May 10,
10 2019 (Docket No. FR–6124–P–01), or any final rule
11 based substantially on such proposed rule.

12 This title may be cited as the “Department of Hous-
13 ing and Urban Development Appropriations Act, 2022”.

14 TITLE III

15 RELATED AGENCIES

16 ACCESS BOARD

17 SALARIES AND EXPENSES

18 For expenses necessary for the Access Board, as au-
19 thorized by section 502 of the Rehabilitation Act of 1973
20 (29 U.S.C. 792), \$9,750,000: *Provided*, That, notwith-
21 standing any other provision of law, there may be credited
22 to this appropriation funds received for publications and
23 training expenses.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936 (46 U.S.C. 46107), including
6 services as authorized by section 3109 of title 5, United
7 States Code; hire of passenger motor vehicles as author-
8 ized by section 1343(b) of title 31, United States Code;
9 and uniforms or allowances therefore, as authorized by
10 sections 5901 and 5902 of title 5, United States Code,
11 \$31,398,000: *Provided*, That not to exceed \$3,500 shall
12 be for official reception and representation expenses.

13 NATIONAL RAILROAD PASSENGER CORPORATION

14 OFFICE OF INSPECTOR GENERAL

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Inspector
17 General for the National Railroad Passenger Corporation
18 to carry out the provisions of the Inspector General Act
19 of 1978 (5 U.S.C. App. 3), \$26,762,000: *Provided*, That
20 the Inspector General shall have all necessary authority,
21 in carrying out the duties specified in such Act, to inves-
22 tigate allegations of fraud, including false statements to
23 the Government under section 1001 of title 18, United
24 States Code, by any person or entity that is subject to
25 regulation by the National Railroad Passenger Corpora-

tion: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the National Railroad Passenger Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2023, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2023 in similar format and substance to budget requests submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by section 3109 of title 5, United States Code, but at rates for individuals

1 not to exceed the per diem rate equivalent to the rate for
2 a GS-15; uniforms, or allowances therefor, as authorized
3 by sections 5901 and 5902 of title 5, United States Code,
4 \$121,400,000, of which not to exceed \$2,000 may be used
5 for official reception and representation expenses: *Pro-*
6 *vided*, That the amounts made available to the National
7 Transportation Safety Board in this Act include amounts
8 necessary to make lease payments on an obligation in-
9 curred in fiscal year 2001 for a capital lease.

10 NEIGHBORHOOD REINVESTMENT CORPORATION

11 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

12 CORPORATION

13 For payment to the Neighborhood Reinvestment Cor-
14 poration for use in neighborhood reinvestment activities,
15 as authorized by the Neighborhood Reinvestment Corpora-
16 tion Act (42 U.S.C. 8101 et seq.), \$185,000,000, of which
17 \$5,000,000 shall be for a multi-family rental housing pro-
18 gram.

19 SURFACE TRANSPORTATION BOARD

20 SALARIES AND EXPENSES

21 For necessary expenses of the Surface Transpor-
22 tation Board, including services authorized by section
23 3109 of title 5, United States Code, \$39,152,000: *Pro-*
24 *vided*, That, notwithstanding any other provision of law,
25 not to exceed \$1,250,000 from fees established by the Sur-

1 face Transportation Board shall be credited to this appro-
2 priation as offsetting collections and used for necessary
3 and authorized expenses under this heading: *Provided fur-*
4 *ther*, That the amounts made available under this heading
5 from the general fund shall be reduced on a dollar-for-
6 dollar basis as such offsetting collections are received dur-
7 ing fiscal year 2022, to result in a final appropriation from
8 the general fund estimated at not more than \$37,902,000.

9 UNITED STATES INTERAGENCY COUNCIL ON
10 HOMELESSNESS
11 OPERATING EXPENSES

12 For necessary expenses, including payment of sala-
13 ries, authorized travel, hire of passenger motor vehicles,
14 the rental of conference rooms, and the employment of ex-
15 perts and consultants under section 3109 of title 5, United
16 States Code, of the United States Interagency Council on
17 Homelessness in carrying out the functions pursuant to
18 title II of the McKinney-Vento Homeless Assistance Act,
19 as amended, \$4,000,000.

20 TITLE IV
21 GENERAL PROVISIONS—THIS ACT

22 SEC. 401. None of the funds in this Act shall be used
23 for the planning or execution of any program to pay the
24 expenses of, or otherwise compensate, non-Federal parties

1 intervening in regulatory or adjudicatory proceedings
2 funded in this Act.

3 SEC. 402. None of the funds appropriated in this Act
4 shall remain available for obligation beyond the current
5 fiscal year, nor may any be transferred to other appropria-
6 tions, unless expressly so provided herein.

7 SEC. 403. The expenditure of any appropriation
8 under this Act for any consulting service through a pro-
9 curement contract pursuant to section 3109 of title 5,
10 United States Code, shall be limited to those contracts
11 where such expenditures are a matter of public record and
12 available for public inspection, except where otherwise pro-
13 vided under existing law, or under existing Executive order
14 issued pursuant to existing law.

15 SEC. 404. (a) None of the funds made available in
16 this Act may be obligated or expended for any employee
17 training that—

18 (1) does not meet identified needs for knowl-
19 edge, skills, and abilities bearing directly upon the
20 performance of official duties;

21 (2) contains elements likely to induce high lev-
22 els of emotional response or psychological stress in
23 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasi-religious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

12 (b) Nothing in this section shall prohibit, restrict, or
13 otherwise preclude an agency from conducting training
14 bearing directly upon the performance of official duties.

15 SEC. 405. Except as otherwise provided in this Act,
16 none of the funds provided in this Act, provided by pre-
17 vious appropriations Acts to the agencies or entities fund-
18 ed in this Act that remain available for obligation or ex-
19 penditure in fiscal year 2022, or provided from any ac-
20 counts in the Treasury derived by the collection of fees
21 and available to the agencies funded by this Act, shall be
22 available for obligation or expenditure through a re-
23 programming of funds that—

24 (1) creates a new program;

25 (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel for any pro-
2 gram, project, or activity for which funds have been
3 denied or restricted by the Congress;

4 (4) proposes to use funds directed for a specific
5 activity by either the House or Senate Committees
6 on Appropriations for a different purpose;

7 (5) augments existing programs, projects, or ac-
8 tivities in excess of \$5,000,000 or 10 percent, which-
9 ever is less;

10 (6) reduces existing programs, projects, or ac-
11 tivities by \$5,000,000 or 10 percent, whichever is
12 less; or

13 (7) creates, reorganizes, or restructures a
14 branch, division, office, bureau, board, commission,
15 agency, administration, or department different from
16 the budget justifications submitted to the Commit-
17 tees on Appropriations or the table accompanying
18 the report accompanying this Act, whichever is more
19 detailed, unless prior approval is received from the
20 House and Senate Committees on Appropriations:
21 *Provided*, That not later than 60 days after the date
22 of enactment of this Act, each agency funded by this
23 Act shall submit a report to the Committees on Ap-
24 propriations of the Senate and of the House of Rep-
25 resentatives to establish the baseline for application

1 of reprogramming and transfer authorities for the
2 current fiscal year: *Provided further*, That the report
3 shall include—

4 (A) a table for each appropriation with a
5 separate column to display the prior year en-
6 acted level, the President’s budget request, ad-
7 justments made by Congress, adjustments due
8 to enacted rescissions, if appropriate, and the
9 fiscal year enacted level;

10 (B) a delineation in the table for each ap-
11 propriation and its respective prior year enacted
12 level by object class and program, project, and
13 activity as detailed in this Act, the table accom-
14 panying the report accompanying this Act, ac-
15 companying reports of the House and Senate
16 Committee on Appropriations, or in the budget
17 appendix for the respective appropriations,
18 whichever is more detailed, and shall apply to
19 all items for which a dollar amount is specified
20 and to all programs for which new budget
21 (obligational) authority is provided, as well as
22 to discretionary grants and discretionary grant
23 allocations; and

24 (C) an identification of items of special
25 congressional interest.

1 SEC. 406. Except as otherwise specifically provided
2 by law, not to exceed 50 percent of unobligated balances
3 remaining available at the end of fiscal year 2022 from
4 appropriations made available for salaries and expenses
5 for fiscal year 2022 in this Act, shall remain available
6 through September 30, 2023, for each such account for
7 the purposes authorized: *Provided*, That a request shall
8 be submitted to the House and Senate Committees on Ap-
9 propriations for approval prior to the expenditure of such
10 funds: *Provided further*, That these requests shall be made
11 in compliance with reprogramming guidelines under sec-
12 tion 405 of this Act.

13 SEC. 407. No funds in this Act may be used to sup-
14 port any Federal, State, or local projects that seek to use
15 the power of eminent domain, unless eminent domain is
16 employed only for a public use: *Provided*, That for pur-
17 poses of this section, public use shall not be construed to
18 include economic development that primarily benefits pri-
19 vate entities: *Provided further*, That any use of funds for
20 mass transit, railroad, airport, seaport or highway
21 projects, as well as utility projects which benefit or serve
22 the general public (including energy-related, communica-
23 tion-related, water-related and wastewater-related infra-
24 structure), other structures designated for use by the gen-
25 eral public or which have other common-carrier or public-

1 utility functions that serve the general public and are sub-
2 ject to regulation and oversight by the government, and
3 projects for the removal of an immediate threat to public
4 health and safety or brownfields as defined in the Small
5 Business Liability Relief and Brownfields Revitalization
6 Act (Public Law 107–118) shall be considered a public
7 use for purposes of eminent domain.

8 SEC. 408. None of the funds made available in this
9 Act may be transferred to any department, agency, or in-
10 strumentality of the United States Government, except
11 pursuant to a transfer made by, or transfer authority pro-
12 vided in, this Act or any other appropriations Act.

13 SEC. 409. No funds appropriated pursuant to this
14 Act may be expended by an entity unless the entity agrees
15 that in expending the assistance the entity will comply
16 with sections 2 through 4 of the Act of March 3, 1933
17 (41 U.S.C. 8301–8305, popularly known as the “Buy
18 American Act”).

19 SEC. 410. No funds appropriated or otherwise made
20 available under this Act shall be made available to any
21 person or entity that has been convicted of violating the
22 Buy American Act (41 U.S.C. 8301–8305).

23 SEC. 411. None of the funds made available in this
24 Act may be used for first-class airline accommodations in

1 contravention of sections 301–10.122 and 301–10.123 of
2 title 41, Code of Federal Regulations.

3 SEC. 412. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 413. (a) None of the funds made available by
18 this Act may be used to approve a new foreign air carrier
19 permit under sections 41301 through 41305 of title 49,
20 United States Code, or exemption application under sec-
21 tion 40109 of that title of an air carrier already holding
22 an air operators certificate issued by a country that is
23 party to the U.S.-E.U.-Iceland-Norway Air Transport
24 Agreement where such approval would contravene United

1 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
2 way Air Transport Agreement.

3 (b) Nothing in this section shall prohibit, restrict or
4 otherwise preclude the Secretary of Transportation from
5 granting a foreign air carrier permit or an exemption to
6 such an air carrier where such authorization is consistent
7 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
8 ment and United States law.

9 SEC. 414. None of the funds appropriated or other-
10 wise made available under this Act may be used by the
11 Surface Transportation Board to charge or collect any fil-
12 ing fee for rate or practice complaints filed with the Board
13 in an amount in excess of the amount authorized for dis-
14 trict court civil suit filing fees under section 1914 of title
15 28, United States Code.

16 SEC. 415. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

20 (b) Nothing in subsection (a) shall limit the use of
21 funds necessary for any Federal, State, tribal, or local law
22 enforcement agency or any other entity carrying out crimi-
23 nal investigations, prosecution, or adjudication activities.

24 SEC. 416. (a) None of the funds made available in
25 this Act may be used to deny an Inspector General funded

1 under this Act timely access to any records, documents,
2 or other materials available to the department or agency
3 over which that Inspector General has responsibilities
4 under the Inspector General Act of 1978 (5 U.S.C. App.),
5 or to prevent or impede that Inspector General's access
6 to such records, documents, or other materials, under any
7 provision of law, except a provision of law that expressly
8 refers to the Inspector General and expressly limits the
9 Inspector General's right of access.

10 (b) A department or agency covered by this section
11 shall provide its Inspector General with access to all such
12 records, documents, and other materials in a timely man-
13 ner.

14 (c) Each Inspector General shall ensure compliance
15 with statutory limitations on disclosure relevant to the in-
16 formation provided by the establishment over which that
17 Inspector General has responsibilities under the Inspector
18 General Act of 1978 (5 U.S.C. App.).

19 (d) Each Inspector General covered by this section
20 shall report to the Committees on Appropriations of the
21 House of Representatives and the Senate within 5 cal-
22 endar days any failures to comply with this requirement.

23 SEC. 417. None of the funds appropriated or other-
24 wise made available by this Act may be used to pay award
25 or incentive fees for contractors whose performance has

1 been judged to be below satisfactory, behind schedule, over
2 budget, or has failed to meet the basic requirements of
3 a contract, unless the Agency determines that any such
4 deviations are due to unforeseeable events, government-
5 driven scope changes, or are not significant within the
6 overall scope of the project and/or program unless such
7 awards or incentive fees are consistent with 16.401(e)(2)
8 of the Federal Acquisition Regulations.

9 SEC. 418. Within the amounts appropriated in this
10 Act, funding shall be allocated in the amounts specified
11 for those projects and purposes delineated in the table ti-
12 tled “Incorporation of Community Project Funding” in-
13 cluded in the report accompanying this Act.

14 SEC. 419. None of the funds made available in this
15 Act may be made available or used by employers or compa-
16 nies that have a contract with the Federal Government
17 to enter into a contract or agreement with an employee
18 or applicant, as a condition of employment, promotion,
19 compensation, benefits, or change in employment status
20 or contractual relationship, or as a term, condition, or
21 privilege of employment, if that contract or agreement
22 contains a nondisparagement or nondisclosure clause that
23 covers workplace harassment, including sexual harassment
24 or retaliation for reporting, resisting, opposing, or assist-
25 ing in the investigation of workplace harassment.

1 This division may be cited as the “Transportation,
2 Housing and Urban Development, and Related Agencies
3 Appropriations Act, 2022”.

